By Charles Lawson: During this past year, we found it necessary to amend the rules and regulations of the Compact to include information relating to the Violations Report Form and also to the fact that we changed our reporting from quarterly to semi-annually. This year we have officially become affiliated with the American Correctional Association and today, we will ask the Nominating Committee to select a person to represent the Compact Administrators for the Board of Directors of ACA. I ask the Nominating Committee to do that at this time.

We have reviewed and renewed our awareness of the effect of LEAA on each of our States and our organizations and in the overall area of criminal justice for the National Governors' Conference on Criminal Justice. This report did come out recently and incidentally, Norm Karsh asked me to express his appreciation for your assistance in helping to prepare this booklet. He is with us today and asked that we just thank you for him.

During the year we have been more cognizant of due process and probable cause which results from the *Morrissey* decision. We have been vividly reminded of the words of fundamental fairness and sufficient complexity from the *Gagnon* and *Scarpelli* decisions. We have asked Walt Sartorius to represent the Compact Administrators here at the National Association of Attorneys General Conference and he did attend that meeting in St. Louis and will be reporting to us later today. We will hear more of these decisions and hopefully today we can arrive at a workable and fulfilling solution to meeting the requirements of these particular decisions. We have this scheduled first on our agenda today and we hope to hear from many of you. During the year I have heard some of you say this thing is driving you crazy; I have heard some of you say we have needed it all the time and that we have been able to avoid many revocation hearings by holding preliminary type hearings. We have been required to do things that really benefit our overall organization.

Recently today's parole system was described as bankrupt and capricious, providing neither security to the law abiding nor fair treatment to the offenders. Through the Compact I believe that we must strive to prove them wrong and provide our citizens with the service they so richly deserve throughout our country.

We will now have our roll call:
John Chamblee, Mississippi
John Lang, Wyoming
Melvin Stevens, Compact Administrator, Alabama
Larry Trotter, Deputy Administrator, Alabama
John Moran, Director of Corrections, Arizona
Joe Spangler, Adult Correctional Authority, California
Edward Grout, Director of Parole, California
Charles Lawson, Parole and Probation Department, Florida
William Holland, Department of Probation and Parole, Idaho
Betty Young, Georgia
Lee Day, Indiana
Marjorie Barker, Department of Corrections, Indiana
John Walton, Parole and Probation Administrator, Iowa
Parker W. Hurley, Director Probation and Parole, Kentucky
Victor Townsend, Assistant Director of Probation, Louisiana
G. Raymond Nichols, Director Probation and Parole, Maine
Ernest Welsh, Compact Administrator, Maryland
Darrell Pangborn, Deputy Compact Administrator, Minnesota
Walter Sartorius, Chairman, Board of Parole and Probation, Missouri
Raymond Bills, Deputy Compact Administrator, Missouri
Edwin Garrison, State Probation Administrator, Nebraska
Susan Rock, Compact Coordinator, Nevada
Fred Haley, Supervisor, New Jersey
Richard Cadena, Supervisor Interstate Services, New Mexico
Richard Haines, Supervisor, Interstate Bureau, New York
Burton Strong, Deputy Administrator of Probation, North Carolina
Irvin Riedman, Director of Parole and Probation, North Dakota
George Denton, Chief of Adult Parole Authority, Ohio
John Darby, Director of Parole and Probation, Oregon
B. J. Snitker, Interstate Compact Supervisor, Oregon
Walter Siwicki, Administrator of Probation and Parole, Rhode Island
Clyde Whiteside, Board Member and Compact Administrator, Texas
George Young, Deputy Administrator, Texas
Bill Boynton, Regional Director, Utah
Thomas Pinnock, Correctional Planning, Washington
Sanger B. Power, Administrator of Division of Corrections, Wisconsin
Lionel Toedman, Compact Administrator, Virgin Islands
Bill Caldwell, National Association of Attorneys General
Keith Dysart, The Council of State Governments
Bruce Johnson, Chairman of Parole Board, Washington
Jane Parks, Council of State Governments
George Reed, United States Board of Paroles
Earl Gilkey, Washington, D.C. Parole Board

Treasurer's Report by W. Parker Hurley:

I refer you to the statement that you received this morning. In it you will see that we had receipts of $6,341.30 and disbursements of $2,310.33. This gave us a balance on hand at the time of the audit of $4,030.73. Since then, however, we have received four more dues - $200.00 - and had expenditures of $100.35, leaving us with a current balance of $4,130.62. We did not receive dues from the following states: Arkansas, California, Minnesota, New Jersey, Puerto Rico, West Virginia and Pennsylvania. Pennsylvania sent a letter excusing themselves on the grounds that their Legislature refused to pass the appropriations budget and that they were out of money entirely for several weeks.

By Charles Lawson:

We'll turn the Treasurer's report over to the Auditing Committee as soon as we appoint one and we will have a report further today.

Earlier you were mailed the Minutes from the last meeting. Do I hear a motion that we accept these Minutes as read?

(Motion made, seconded and unanimously passed)

At this time we would like to hear further from Jane Parks and Keith Dysart of the Council of State Governments on the report from the Secretariat.

By Jane Parks:

I really just have a couple of announcements - One is that you will find a white registration card in your packet - and if you will fill them out and pass them up to the front of the room. In your packet you will find a roster which is as updated as we know it. If there are any changes, if you will hand them to me some time during the meeting, write them out and just hand them to me.

A couple of you have written asking where the blanks are for reporting on the interstate movement of parolees and probationers. I just did not know they had not gone out. I think Loretta did mail them out just before she left and if not, they will be mailed out on Monday so that you will be getting them. Also in your folders you will find a brochure on the Compact. Each Administrator is entitled to 500 copies and some of you have already gotten yours. If you have not received them and you want them, you should write to Bill Frederick and Loretta will see that you get them.
I wanted to tell you that the Agreement on Detainers which your organization really started, ratified this year by Florida and Indiana, and that makes 42 states plus the District of Columbia and the Federal Government. The Juvenile Compact which you also really started, is a complete success. It has now been approved in all 50 states and the District of Columbia. I really think you are to be congratulated on what you have done.

About the most important announcement I have is that Charles Lawson has just done a monumental job in getting this meeting ready in Bill's absence and I really think he deserves a vote of thanks.

I would like to call on Keith Dysart for the rest of the Secretariat's report. He's counsel to our new Criminal Justice Project in which Bill is Director.

By Keith Dysart:

The only thing I have to report - you know Bill Frederick has had his share of medical trauma in the past 6-9 months and I did not know the man before I came to work for the Council of State Governments July 1, 1973, but in that short period I found him to be an uncommon man both in terms of experience and in terms of his organization. I will not pretend to you that we are fortunate enough to have the full services of Bill Frederick yet, but I talk to him frequently on the phone and I have visited with him once—he is mentally alert and I think Jane would agree with me that he is anxious to get back in the saddle, but his wife seems to have a firm grip on his halter in terms of forcing him to obey his several doctors. I am very confident that he will be back, at least part time, in September and that it won't be too long before he will be with the grant project on a full time basis. I do bring you the good tidings that Bill Frederick is well on the road to recovery.

By Charles Lawson:

For our committees - the Nominating Committee, L.B. Stephens, if you will please serve as Chairman. I will ask to serve with you Darrell Pangborn, John Moran, Fred Haley and Mrs. Bettye Young.

On our Auditing Committee - Mr. Raymond Bills, would you chair that please, and Larry Trotter, will you serve with him? If you would get the Treasurer's report as soon as possible from Mr. Hurley and report back this afternoon.

On the Resolutions Committee - Ray Nichols, would you serve as Chairman. Serving with you I'll ask Sanger Power and Dick Haines from New York.
We're going to have a real quick noon time meal so most of these Committees can get together at that time or if you find a need to do so prior to that, if the Chairman of each Committee will so move and get your committees together.

To begin our discussion this morning, we thought it best to begin with the violation hearings and other implications of Morrissey and Scarpelli. We have asked Joe Spangler to begin discussing Morrissey. Mr. Sartorius who did sit in for the Compact Administrators, as I mentioned, with the Association of Attorneys General, will handle the Scarpelli end of it and several other people have indicated an interest - Mr. Reed of the United States Board of Paroles has had a great deal of contact in this area and should be able to help us out, as many of you will. We have been going in several different directions and hopefully we can come up with some solution to our problems.

By Joe Spangler:

Since a year ago, we have at the California Paroling Authority and the Administration of Parole and Administration of the Department of Corrections level done virtually nothing. We have been involved in Morrissey from the word "go" with a large staff of our Attorney General who have moved over into our offices and we have been working virtually full time on it. Just as we got the ducks in a row and things beginning to move rather effectively under Morrissey, down comes Gagnon v. Scarpelli and now we have a whole complete new different ball game going in that regard. In addition to these three court decisions, we have a State Suprême Court decision affecting our entire operation that gets into the rescinding of parole dates. They have applied a Morrissey type hearing for any inmate who has a date to go out on parole and then he becomes involved in an infraction or he is out on work furlough and doesn't come back or a temporary community pass, so we're working in this general area. Every single one of the procedures that we have established are in one form or another before one or several courts. To give you a specific example, we have three different appellate court decisions that have come down on Morrissey, one out of our Third District in Sacramento, one out of--and this in our opinion is a rather atrocious decision. It indicates that anybody that we have returned even though they have a local conviction for a felony is entitled to a local Morrissey hearing. We have taken a position in the past that if he was convicted of a new crime, according to Morrissey, that is not a subject of litigation - he had all this due process, civil rights, and his counsel at the court level on the new conviction and if it is of serious magnitude and the
and the Board decided that he should be returned, we had not been granting those cases local hearings. Our Third District Court has indicated that they all should have had local hearings and we are now talking about around 2,100 cases that are back in the slammer following a serious parole violation and new convictions. The Third District Court in California has ruled that we have lost any opportunity to do anything about that and those cases would all be released forthwith. Our Attorney General has appealed that. Out of the Fourth District in San Diego, they have reviewed our procedures and expressed their opinion in the case - Scott - that our procedures comply with the law and we are doing everything properly and legally correct. A third decision called the Atch decision has come out of the Fifth District which sort of splits the difference. It has indicated that the decision out of the Third District Court that has ordered all these people released and that we have lost any opportunity to grant them a hearing, is in error. It did not go as far as Scott saying that we are completely correct and doing what we should do properly. Those three cases are all apparently before our State Supreme Court and we will get some case law out of our Supreme Court that will give us guidance. That is just a portion of what we are going through - we went to our Agency and Governor's Cabinet and requested a $2,300,000 emergency budget augmentation with four additional board members and additional staff ranging everywhere from research people and additional hearing officers. That was granted, but the additional board members would require legislation. I have brought some of the forms along that we are using and I have some sets if any of you would like copies of these. Just drop me a note and I'll see that you get them.

Basically we have taken the position that once the parole hold goes on, the case is now within our jurisdiction. That is, when an inmate or the parolee is in jail on our hold only, if he is originally picked up by a law enforcement agency and held to answer on a new felony, until that determinate has been reached at the local court level, we do not have jurisdiction or responsibility. However, once the court, the trial and the decision has taken place, then it is up to the Board to determine what steps we have to take. A parole agent brings a complete report in to our Board and our Board nominates the case, if the Board determines that he is not going to be continued on parole, they'll nominate him for a Morrissey type hearing. That usually happens on a Friday - on Monday all the forms are carried in to the inmate in jail and he is given all of his Morrissey rights and given an opportunity to waive. He is informed that he
can call friendly witnesses or adverse witnesses and a hearing will be scheduled. That would be a local hearing in the local community. If there is a new conviction, we have simply ordered the individual returned and then grant him a Morrissey type hearing after he is returned because our Attorney General has ruled that that new conviction is not a subject of litigation and it constitutes probable cause and we can return.

The next step we go through is we schedule him for a hearing. In my offices in Sacramento we have a master calendar which has every case pegged — where he is in the slammer, how long he has been there, who the parole agent is, when the Morrissey rights were delivered to him — this is all being recorded because we are being challenged on every single one of these issues. We have to document this, have to have it in writing. Once you get the attorneys in the act and they say "my client was not served the appropriate forms, he was not given the opportunity to call witnesses", we've got to have documentation to refute that challenge. He is then actually granted a local hearing. We do not have in California subpoena powers and we have had difficulty in getting some of the adverse witnesses there — law enforcement people, the victim on occasion. The inmate is obligated to provide for his own witnesses, but in fairness our parole agents, if he can specify a witness, give us the address or place where he can be located, have been making an effort to notify and get friendly witnesses there. The probable cause hearing is all recorded.

First the inmate is given a copy of the parole violation report with the charges and any substantiating information that the charges are based on. This may include an arrest report. One thing we have come into recently is that if he has been convicted of a new crime, the parole agent in the past has been able to call the Clerk of the Superior Court and he would record in his report that the inmate was convicted of say assault with a deadly weapon, given a year in jail in Superior Court No. 27, Department 995, or whatever, and simply records that in his report. The inmate comes in and says, "I wasn't convicted of anything". We are now going through the process of getting the certified court documents which will be attached to the parole agent's report so that when this issue is raised, we have the official certified documents as to a conviction. The inmate is then, if probable cause is found, automatically suspended under our regulations and is returned to prison. We have designated three prison areas, Chino in the South, San Quentin for the North and north coast and Dual Vocational Institution for the Central Valley, where these hearings are all heard and processed. The staff there has been trained.
He then has a hearing scheduled and the same process eminates the friendly and adverse witnesses and he appears before two members or a panel of the Board. At that point his parole is revoked if the Board finds reason to believe that cause exists for the revocation of parole. There have been occasions when at this hearing it doesn't seem as serious as it appeared at first and he may be reinstated on parole. We have had trouble in getting the adverse witnesses there, the arresting officers that apprehended the parolee in a motel with a loaded gun which he attempted to fire at them that didn't go off - we were unable to get the two arresting officers there because we do not have subpoena powers and we did not have funds to pay transportation for them from Santa Barbara to Chino and the charge was dismissed. This generally is the process we are going through. We are needing advanced additional documentation. There have been some good things that have happened.

I discussed this with Bruce Johnson and his group in Washington, who have been doing this for three or four year in Washington, and they felt one advantage would be that it would require a much more precise parole agent recording and reporting. We are finding this to be a major problem and we have parole agent training sessions going on all over. The parole agent's reports are going to have to be much more precise, exact and factual than they have been in the past. The general sociological or social work type approach to these problems when we are faced with nailing down specific facts have to be very thoroughly documented in the reports.

Question: Did I understand you to say that in some cases where they have been found guilty of new charges, they get back in the institution before you have the hearing?

Answer: We sat down with our legal advisors and took the position that when a person is charged and convicted in court of a new criminal offense, and some 60% of these are actually proved in fact new felonies, that that constitutes probable cause, under Morrissey, that the guy has violated one or more conditions of his parole. On this basis we did not grant them a local probable cause hearing because it was prima facie due to the new conviction, that he had in fact violated his parole, so we simply suspended the parole and ordered him returned. We give him a revocation hearing after he gets back, but we don't give him a local hearing.

Question: My question wasn't on that, but how do you get around the local. Morrissey says that you must have it within a certain time.
Answer: No. Morrissey says that you have to establish probable cause. Now, if he is a case that has not been convicted and you are looking at other violation charges, then those cases in our system all have the local hearing for probable cause. I am only talking about a case where the guy has gone to court, he's had his attorney, he has had all his due process rights in court, and Morrissey speaks of that very specifically. Some of our higher courts do not agree with our interpretation of Morrissey and some of these other decisions when it hits the Supreme Court may change our procedure, but that is the way we established it and that is the way we started to run under Morrissey. We are faced with somewhere between 1600 and 2200 additional hearings if the Supreme Court rules against us where we may have to transfer a number of these people back out to the local community for a local hearing prior to determining that they can be returned, even though they have had a new conviction in a Superior Court in the local community.

Question: What happens if they put up an Appeal Bond after their local conviction?

Answer: Everything that we have traditionally done, and that the law has been on, for example, a parole hold is put on by the Board and that is not subject to appeal, etc. We have some of those cases before the higher courts. We will, in certain circumstances, when the agent brings the report in and we will release the hold pending a further and more complete report because a guy might lose his job or something of this sort, particularly if the violation does not appear extremely serious, but if he is a known armed robber and he is arrested at 4:00 in the morning inside a supermarket with a loaded .38 in his possession, why the hold will go on and it stays. That, of course, is being challenged. He goes to court on that charge and the judge immediately sets bail, but he is not bailable for the parole under our law as it stands at present. This, too is being challenged.

Question: You hold a Morrissey, then, before he is convicted?

Answer: No, we defer until the conviction.

Question: Our legal section has come up with a device in the event that a man absconds and we question it and want to get your views on it. They send a registered letter to his last known address, if he does not reply then they hold the hearing absentia using the letter as evidence that he has, in fact, absconded. What do you think of that procedure?

Answer: We, and this again is a thing that is going to be up for grabs, but you've got a guy out on parole and the agent can't find him, and he has a certain period of time to attempt to find him, six weeks or two months or
a reasonable period of time, and he makes all the local contacts. If he is
not where he is supposed to have been living and not where he is supposed to
be employed - he talks with friends, neighbors and everybody else and the guy
is gone - so he sends a report into the Board and he is now a parolee at
large and we suspend him. We could hear from Sanger on this because I picked
up from somewhere that in Wisconsin before you can issue an APB you have got
to have some kind of a hearing before the Parole Authority, Parole Division or
whoever issues an all points on an absconder parolee. Is that true, Sanger?

By Sanger Power: No, that is not right. We simply on the representation
of the parole officer that this man is absconded, and his whereabouts are not
known, the revocation process is started at that point and it comes to a halt,
of course, after the case history and recommendation are made, and picks up
when he is finally located and at that point in time a preliminary hearing
is held.

By Joe Spangler: In sitting down and deciphering Morrissey, reading it
in great detail with the top legal advisors in our state, and we have a battery
of Attorneys General that work at virtually nothing but our particular business,
we have optimum service really, and now under Scarpelli, the Director of Corrections
has two lawyers, Director of Youth Authority has got a lawyer, we have a lawyer
assigned to the Board, there are eight Deputy Attorney Generals located through-
out the state that have virtually dropped everything and are giving priority to
our particular cases. The other thing that is happening is that we have several
hundred suits on every single traditional method that we have had in terms of
operating and functioning. We, myself and three of our Board members, have a
Contempt Order out from Federal District Judge Peckham on a Morrissey type hearing.
This is one where we had brought a guy back about three years ago who was a known
sex offender and he had assaulted a little 13-year old girl in Southern
California and went to trial, the girl tied up on the witness stand and couldn't
speak so the judge threw it out of court, and we returned him on the basis of
a preliminary, on the basis of being in a portion of the state without permission,
on the basis of the fact that he was supposed to be attending the parole out-
patient psychiatric clinic and he had missed a number of clinic appointments.
The matter got into Federal Court and the judge ordered us to hold a hearing
retroactively. He had been back about three years and he ordered a hearing
with counsel. This was before Gagnon had come down. Now that Gagnon has come
down, the Federal Judge has said, "you see, I was right all the time", but we
have had three hearings on this joker, he then ordered us to have a hearing
on whether or not the man should have been discharged from parole. We
reviewed the matter and thought he needed continued parole supervision,
continued out-patient psychiatric care and that is the item he now has before
us on Contempt because we did not discharge him and he thought that he should
have been discharged.

Question: In the situation that Sanger described, I would be interested
in knowing how you would handle the case if this absconder were picked up in
another state? How would you hold a Morrissey hearing?

Answer: Well, we have been going ahead and handling these as we have
done heretofore and that is, if his offense occurred back in the local
community that he absconded from, so you pick him up in your state and he is
a parolee that has left downtown Los Angeles and absconded to the Midwest or to
a Southern state and he is apprehended, we probably have already suspended him.
We would order him returned and then he will have the probable cause hearing in
the local community upon his being brought back and then he'll get a violation
hearing at the institution following the establishment of probable cause.

I had referred to me a letter from Washington's Governor's legal advisor
who had had a hearing and then informed our Governor that they were not going
to permit this guy be extradited.

In the Pruitt decision out of our State Supreme Court, what we are going
through with all of this is having a tremendous effect on the various kinds
of programs. For example, we have one program that has been on our statute
for some time with a narcotic and treatment control unit. This is for a known
narcotic addict and he has been in our system, back out and he starts using -
the narcotic and treatment control unit will bring him back for a very short
period of about 60-90 days basically for dry-out purposes. It gets them off
the street, the staff, the counseling people and the parole agent sit down
and make an effort to find out what is going wrong and to restructure and
reorient the guy and get him back out. We can put him into these units in a
non-suspended status, if he is picked up and the Board approves it, he goes
in for 60 or 90 days and comes back out on a new kind of a program that hope-
fully will keep him off narcotics. Our Appellate Court has ruled, and this is
now final that in that capacity, anybody falls within the Morrissey/Gagnon
concept. For us to get a hearing officer up there and probable cause, your
time is pretty close to shot. We have several of these what we call short term
programs which are having a tremendous effect in this regard.
matched with a combination of county funds, state funds and LEAA funds and
developed into a rather sizeable package. The project now has been going for
about two years and there have been about 180 people in the project. Half
of them have been probation cases and half have been prison cases. We have
created what we call a prison pool and we have taken out on a random selection
basis people who were otherwise going to prison. Eighty of these have been
taken out of the group going to prison and retained in probation. It has been
very successful, more successfully than in the probation pool. We have lost
three people out of the prison pool of eighty through a new conviction. They
are not able to be brought back into the project if they have committed
another offense. This is a new and more intensive kind of a probation approach
and as a result, we are having a high degree of success.

Question: In working with the ex-offender that has gone to jail, was he
given a sentence by the Judge?

Answer: Yes, the judge has decided, okay here are the individuals we have
sent to prison and if we come in and take half of them out on a random basis,
and he has agreed that those he declares eligible for the pool, they either
go to prison or go into the project, that we can take them out on a random
selection basis. It's a sticky kind of a legal problem. Judges have to work
hard with their consciences in allowing this.

Another is what we call a community integration program in Eastern
Pennsylvania. These persons are sentenced to an institution but are turned
around immediately into a community program in an in-living situation. They
are in a boarding house, under supervision; there are requirements - they have
to be in there at night. Every one of them is employed in an industry in the
Eastern Pennsylvania Region. They are under labor journeymen for supervision
and they are all actively employed. They pay about $70 a month for their room
and board, they are under supervision of the staff that we have put in, in the
custody of the Pennsylvania Department of Corrections and they are working in
the community. An interesting contrast between these two programs is that
there really is no difference between these that are now working in this project
and the ones we have in a probation status because of the type, nature; etc. of
the offenses. Yet there is vast reaction - public reaction - between them.
It goes to show that as long as you are going to try to work with a group of
offenders in the community and under one roof you are going to have trouble.
You might as well distribute them in the community and work with them on a
typical parole relationship. You could do as well, maybe even better, and
keep the community off your back. We are in court now, we have a lawsuit, the neighbors are complaining because they have a bunch of convicts in their neighborhood. On the other hand, we have had nothing but maximum community support from the people in Michigan that are on probation status. Yet, it is the same people. I think it says a lot in what we are trying to do. The alternatives may be a lot better than taking these same people and committing them to an institution.

We have some interesting studies going on. One of them is by the Pennsylvania Board of Pardons, the whole system of pardons has never really been adequately been examined. This has given us the opportunity to study the system in Pennsylvania to see if it is possible to come up with any kind of standards that might be applied elsewhere.

There is also a thing we are working with now to help develop a model criminal justice system for a new planned community. In the several planned communities that we have seen already - Columbia, Maryland on the outskirts of Washington, and another Wreston, Virginia, these were planned communities from scratch: the way the streets were laid out, the kinds of houses, the kinds of industry, the kinds of transportation, the kinds of recreation, the kinds of health and social services, etc. No one had thought of trying to do anything about the criminal justice system. Consequently, in these planned communities we have unplanned criminal justice systems. Consequently, we have all the same errors and problems that we have in any other community. It was decided that maybe someone ought to take a look at the input of helping plan the criminal justice system in a planned community. In Woodmans, Texas they have one that by 1985 is expected to have 200,000 people. We have already made a proposal and outlined the work we would do in helping to develop a model criminal justice plan. We find that the Government is planning a large number of these communities, that is, the money is being made available for the planning of a large number of these communities.

As some of you know, we are doing a lot of laboratory training, management parole and probation type training. One departure is in the State of Ohio with the consolidation of services in that state. We have been contracted to train on what we call a "mixed bag" basis - people who are from institutions on parole and on probation. The notion is that everyone have the same kind of "base level" training which then makes it better for follow up.
I would like to mention some of the positions we have that have been getting a lot of attention; for example, the one where we have in effect called a moratorium on construction of institutions in favor of community-based, non-institutional services. We would like to enlist your support in this. We find that so far there has been very little support, at least outwardly, from probation and parole people. Yet we feel that the funds that are going into some three billion dollars of planned construction over the next ten years and which will cost about five to six hundred thousand dollars a year to operate these facilities - that money can be diverted, just the operating costs, to community corrections, it would match the amount of money now available for community corrections. The three billion dollars could obviously be saved in which case that money could go into meeting other kinds of human services; hospitals, schools, welfare or whatever, rather than to go into prisons. We are finding that a large number of these can be diverted into the community. This means you are going to have to develop more community resources to deal with it and expand non-institutional community based services to meet the problem. You are going to do that with money that would be saved from these other expenditures. The point is the money is spent on those, you are not going to have it. Somewhere they have to get a handle on the problem and the way we feel that we can get it is to call for a moratorium on prison construction. Let's bring it out in the open, talk about it, see if we can get sympathetic support from interested groups and communities and see if the planning that went into that projection for spending that amount of money was accurate or not and whether they did take into consideration what possible alternatives there may be. That is what NCCD's position is all about.

Another recent position is that comprehensive planning should be institutionalized in every state. As the state planning agencies are now they are really grant agencies for federal money and not comprehensive planning agencies for all correctional services on criminal justice. We are saying that these planning agencies ought to become a state planning agency which has responsibility for comprehensive planning and for coordinating the planning among all their elements of the criminal justice system in that state and also in the allocation of appropriations for these so that you get a balanced system of criminal justice.
Some of you have expressed interest in the Correctional Council which in effect phased out the Professional Council. This is going to be formed now so we have had a problem finding out where we can get the money to staff it, but we now feel we have it and will be forming this some time this Fall. We expect to have about 35 people on the Correctional Council. Many of you I hope will be represented in that.

We are really not much further along now than we were last year when we talked to you about the supervising of out of country inmates. The juvenile group has accepted this as a responsibility and has said that if there is anyone that fits within their communities which could be taken into supervision and released by a foreign government they would.

A lot of questions have been raised about the legal responsibilities. There really is not, it is merely a courtesy arrangement. We have written to all the states and about two-thirds of them responded saying that anybody in their state who can be released by a foreign government for supervision in that community, they want to know. I feel with that that at least it is a workable idea at least with those states and possibly on the basis of the experience we have gained we may be able to settle some of the problems.

Question: What effect will the fact that we are willing to give courtesy supervision have upon the foreign country in their decision to release?

Answer: I think it would because foreign governments, unlike ours, operate much more on an official basis than they do on an unofficial basis. They are more impressed by officialdom. Most foreign countries have very little voluntary services, everything works through government. However, you cannot work out bilateral treaties with governments very easily. Europe is able to do it but we are not able to be a party to that. However, the issue has been brought up at the United Nations. I served on a committee that meets once a month at United Nations and I have put that on the agenda for discussion and eventually it will work its way through that process. In the meantime, I think that in the instance of some kids who may be held in Spain, Portugal, France, many in Germany, also in the Middle East - the fact that you offer the opportunity for an official agency of the United States Government in the community where this youngster lives, will take responsibility for supervising him, that in itself I think will be persuasive rather than saying "We want you to release him to the Junior League" so they wouldn't understand that at all. We have been told by some of our own State Department people and also by some
foreign governments that if you could work out, and we understand that you can't have a bilateral agreement, but if you could release them to some official body, then this may make a difference and will be persuasive in some instances, of course not in all instances.

Question: Have any juveniles been released to the juvenile authorities that you know of?

Answer: Not that I know of. As a matter of fact, there are not that many juveniles. Almost all of them are over 18. I understand from the Juvenile Compact people, however, that they would not mind taking them up to 21, but so far we don't have the thing firmed up to the point that we can establish a mechanism which will be understood by all concerned.

By Richard Haines:

New York State has had for some time a program with work releases, furloughs, compassionate leaves as I am sure many states have. Under New York State law a person who is serving a sentence in New York State cannot be furloughed or given a leave outside that state. Some cases have come up where a man is say a resident of Pennsylvania and confined in New York and has a death in the family. By New York State law we cannot allow that man to go outside the state or we lose control of him. I was wondering if other states have this problem and whether or not it would be a good idea to consider the possibility of some sort of interstate agreement to allow compassionate leaves and furloughs to other states. Recently we have let two men go out of state on compassionate leaves and one said he was not coming back and we simply lost him. This does not encourage us to experiment further without some way of getting them back. I was wondering how many other states have similar programs for compassionate leaves and furloughs. Should we perhaps arrange some sort of interstate agreement?

Comment: We have the same laws, one of them is for persons paroled so he can go on furlough to get a job. We felt it would be a violation of the Compact to let them go to another state. We also have a furlough for rehabilitation, if the person is ill or has a terminal illness, you can put him on a furlough until he either gets well or dies.

Mr. Raines: There isn't a Corrections Agreement which allows a person to transfer from say New York to Oklahoma. His sentence would be transferred out there if he lives in Oklahoma. I don't see why we couldn't look into the
This seems to be a corrections problem, but we might get involved in it. Perhaps we should have someone research the problem. I think it is something we should take up with the Correctional Administrators otherwise we are going to get into something where we have no jurisdiction whatever, then if it is dumped in our lap, what will we do?

Perhaps Keith Dysart could get together with the Correctional Administrators and study the problem.

By Edwin Garrison:

Last year in Pittsburgh we discussed better communications and faster services between the states and we have seemed to improve communications a great deal across all the states. There are some glaring examples, though and I think it behooves us all to work closer and try to get communications back and forth a little faster. One example - I had a fellow go up to another state and waited about a month. Nothing happened so I sent a second communication and nothing happened. A third time I called and they said they would do something about it right away; nothing happened so in desperation I sent a letter to the individual myself, the director there. He sent a certified letter in about three or four days, which I have a copy of, and said that no one had ever come out to talk to him or come to see him. It seems to me that sort of lets the whole probation system down, when no one has even made a contact, after I talked to him on the phone and also worked with him through communications. There are other examples almost as glaring but that is the worst one I know of. I do think that all of us, if we are going to get this thing working, are going to have to get communications a little faster and a little more efficiently and more thoroughly.

By Richard Haines:

Regarding the strengthening of the Interstate Compact in the area of receiving and third States honoring return waivers, we have had problems and I know other states, for instance, Pennsylvania, have had problems. As I read the Manuals and the legislation regarding the Interstate Compact, it is quite clear that individuals paroled under the Compact can be returned from a third state but it is very rare that this can be accomplished. I think one reason is that the Attorneys Generals of various states who do not have the knowledge required to get this accomplished in the courts. Perhaps the Council of State Governments could help us in this area by preparing a legal brief so to speak, to be made available to the various states to present the case and explain
just what the Compact is and that these individuals can be returned to the
third State. It's getting very expensive to extradite these people from third
States all the time and is very irritating when according to all laws we have
it can be done and we still cannot get it done.

Comment: The Handbook has all this information and we have been trying
to get it out to most of the jurisdictions in the States. The real problem
is where you run into an individual judge who does not care.

I think it would be helpful if we had a one or two page sheet, pamphlet,
booklet or something that would deal specifically with this problem and would
be available to the Compact office. If you can cite to a judge the legal
precedents and legal decisions on a one or two page sheet that we can send to
our field staff, I think it would be a lot of help.

Mrs. Young discussed with me the uniform parole reports and I would like
to have her comments.

By Betty Young: Since the Compact Administrators Association is one of
the sponsors of uniform parole reporting, how many states are really getting
some benefit from parole reporting?

(Show of hands) And in what ways do you use the information?

Answer: Research, the legislature is always asking for information as
to the other states and how we stack up to the other states.

By Ms. Young: The time spent by an employee in supplying this information,
do you feel it is worthwhile? It takes an awfully lot of time, 2 to 3 weeks
out of the month.

Charles Lawson: We haven't paid our bills on this for some time. Parker,
has NCCD billed you in the last couple of years? We used to pay them $50 a
year.

W. Parker Hurley: No, we sent $50 to the American Correctional Association,
but nothing to NCCD.

Charles Lawson: We sponsored this financially some at the beginning and
we had a member to represent this organization on their Committee and I have
not met with them in two years.

Bettye Young: We feel that we do not get the benefit out of it that
we should for the hours spent in preparation.

By Walter Sartorius: Maybe we need to ask for a specific type of information.
We have made considerable use of it and I would say particularly as was mentioned,
with legislative sessions.
By Charles Lawson: Last year we had a committee, Bill Dunn and John Moran and John Lang; John Moran conducted a survey as to rapid communications. John, would you care to comment on that, please?

John Moran: Some of you may recall that a year ago in Pittsburgh that a few members at least had concerns and interest in the possibility of setting up a rapid communications system on a nationwide basis to tie in all the various offices and agencies in this group. I and a few others were appointed to a committee to look into it. We did that back in December of '72 and this should have been reported at the Midwinter Board Meeting, but I was unable to be there. We checked primarily with the telephone company and the following is submitted as a result of consultations with a couple of high level engineers of the Diamond State Telephone Compact, a relatively small one in the State of Delaware but which has access to these kinds of systems. There are many optional solutions to pursue the matter of point to point communication with high speed. Some systems, if not most, are at this time highly expensive in terms of equipment and operating costs. In approaching the subject matter we checked computer based systems vis a vis teletype systems. It is our considered opinion (these are the expert engineers from the telephone company) that in terms of cost and usage a system of point to point communication via telephone oriented teletype machines could be operated at transmission speeds of 100 wpm. This system would utilize existent telex channels which are available at reasonable cost. While it is presently hard to project a specific operating budget due to the lack of usage to which such a system might be applied, it is however, safe to project the following estimated equipment cost per month. They total $90 and include $50 per month for a terminal, $25 per month for a data set and $15 per month for telephone line. The only other cost would be a one-time installation charge of $100. This is something I want to emphasize, plus toll charges for each telephone call served. It would be reasonable safe to project approximately a $1500 annual cost, again plus the cost of the telephone toll calls themselves. This would cover all maintenance service plus the fact that such a system does not entail entering into a fixed term agreement, but could be terminated within 30 days notice. In addition, such a system is flexible in that it can be expanded. Technical consultants also informed us that there are as many as six nationwide sources for this particular type of a terminal, however, since we talked primarily with the people on the East Coast, they recommended a particular firm to provide it. In summary, I would like to say this system can provide rapid speed communication between individual telephone
listings at a speed of 100 wpm and it is compatible for future accessibility to a computer based data bank for future development. It would cost you about $1500 a year plus whatever toll calls you have.

By Charles Lawson: Do you think it is economically feasible for what we would get out of it?

John Moran: I am not that familiar with the daily operations to know whether the traffic would warrant this type of expenditure. My guess is that it would not be in the State of Arizona where I am located.

One other matter which Charlie asked me to bring up here that came up indirectly last night at the Executive Committee Meeting and I hesitate to muddy the waters any more after having heard all the lawyers today, but a problem has developed in Arizona as a result of the fact that we have inmates under the Interstate Compact placed in other states who have now been there for such a period of time that they are about ready to see the Parole Board. The question now arises, how do they see that Parole Board? Do we send the Arizona Parole Board to Missouri or Kentucky and a few other places or can, in fact, the Parole Board sitting in the other jurisdiction legally, without great exception and problems, hear the case in effect for us and in turn make a decision or a recommendation? I suggest this for an area of concern. We already have one inmate in another jurisdiction who is demanding his day in court, so to speak, namely to appear before our parole board. He wrote me and said, well the people in Missouri don't know anything about my eleven years at the prison in Florence. I told him that was probably in his favor. I told him, if I were you I'd go to bat with the Missouri people because they wrote to us and said you were doing all right in Missouri for the last six months. I only suggest that this is something you should be thinking about. I think it will get more complicated as the Interstate Compact is used more fully around the country. Obviously, again I think Morrissey has some relation to this.

Question: Who develops the parole program if the case is heard outside your state?

By John Moran: If he is coming back to the transferring or sending state, then I think it would be our responsibility. We have passed a law in Arizona which allows our parole board to work out arrangements like this with other parole boards.
I think it would behoove the States, because more and more of this is happening, to get enabling legislation that the receiving States' paroling authority can grant a hearing which we have in Arizona now. If we don't have that as the Corrections Compact expands we are going to be sending our paroling people all over everywhere.

Charles Lawson: At this time we will have a report from the Auditing Committee. Before he makes his report, as far as the next meeting is concerned, normally the Executive Committee decides where and when to have the meeting. The American Correctional Association will meet at the Rice Hotel in Houston, Texas, August 18-22. I wanted to let you know that the Juvenile Compact Administrators have become affiliated with the ACA and they will be meeting at the same time and the Council of State Governments will be working with the Juvenile Compact Administrators at that time. Another alternative would be to meet with the NICD in Boston, but we have always had a Saturday meeting prior to this and whether this is going to be a problem, I can't say, if we agree to meet in conjunction with the ACA. Do you want the Executive Committee to decide this?

Report of Auditing Committee by Raymond Bills (Missouri): The Auditing Committee met with the Treasurer and went over his records for the past fiscal year, July 1, 1972 to June 30, 1973. We find these records to be complete with one minor error and if you will refer to the financial statement submitted by Parker Hurley this morning, we ask you to note that after the report was given this morning the receipts amounted to $6,341.30, disbursements $2,310.33. You notice the balance on hand is given as $4,030.73 and we find a small discrepancy there - we find that it should be $4,030.97. That is the report from July 1, 1972 through June 30, 1973. Since that time we find a deposit of $200 was made making a total of $4,230.97. An expenditure was made of $100.35, leaving a balance of $4,130.62. With these minor corrections your Nominating Committee moves that the Treasurer's report be accepted.

Motion unanimously passed.

Report from Resolutions Committee by Ray Nichols: In view of the length of the meeting, the Resolutions Committee kept the Resolutions very brief. We have three that are as follows:

WHEREAS, William L. Frederick, Secretariat of the Parole and Probation Compact Administrators Association has been ill and was unable to attend the 28th Annual Meeting of the Association, and WHEREAS, he was greatly missed by our organization,
BE IT RESOLVED that the incoming President send him a letter expressing our sincere desire for a speedy and complete recovery.

WHEREAS, Jane Parks of the Council of State Governments was willing and able to represent the Secretariat at the 28th Annual Meeting of the Parole and Probation Compact Administrators Association, and WHEREAS, she has contributed greatly to the success of this meeting,

BE IT RESOLVED the Association express its deep appreciation to her for her help and assistance to our President.

WHEREAS, President Charles Lawson of Florida has presented an outstanding program for the 28th Annual Meeting of the Parole and Probation Compact Administrators Association without the benefit of our Secretariat, who has been ill and unable to participate in the meeting, therefore,

BE IT RESOLVED that the Association express its grateful appreciation to Mr. Lawson for a job well done.

A motion was made, seconded and unanimously approved that the resolutions be adopted as read.

Report of the Nominating Committee by Melvin Stevens: The following nominations were made by the Nominating Committee:

President: Irvin Riedman (North Dakota)
Vice President: W. Parker Hurley (Kentucky)
Secretariat: The Council of State Governments
Treasurer: G. Raymond Nichols (Maine)
Executive Committee Members: J. Raymond Bills (Missouri)
                        Richard Haines (New York)
                        Clyde Whiteside (Texas)
                        Thomas Pinnock (Washington)
                        Larry Trotter (Alabama)
                        J. Rufus Strother (North Carolina)
Executive Council Members: Fred Haley (New Jersey)
                        Richard Cadena (New Mexico)
                        Marjorie Barker (Indiana)
                        John Walton (Iowa)
                        Lionel Toedman (Virgin Islands)
ACA Affiliate Representative: Charles H. Lawson (Florida)
By Raymond Bills: I appreciate the honor of being named on a Committee, but as of next May I am retiring and I think that I should let someone else serve in my place.

John Lang of Wyoming was nominated from the floor to replace Raymond Bills on the Executive Committee.

There being no further nominations, a motion was made, seconded and unanimously approved to adopt the slate of officers and executive committee members as read.

By Charles Lawson: It has been a real pleasure for me to have served as your President for this last year. It has kept me busy but I have enjoyed it. I want to say that Jane Parks has really been a big help during the last few weeks and months to prepare for this meeting today. We sincerely hope that the next President will not have to go through this, Bill Frederick is hard to do without. Will the new President step forward, please?

By Irvin Riedman: It is an honor and a privilege to be elected by you people though I will never be able to fill Charlie's shoes. I would like the new Executive Committee to meet in this room as soon as we adjourn. Charlie, on behalf of the Parole and Probation Compact Administrators Association, I want to present you with this certificate of appreciation for the work you have done in the last year.

I am going to depend on you people greatly in the next year for the kind of program that we have. I will depend on Clyde down there in Texas and I hope Jane, hopefully she will be able to help us again.

There being no further business, a motion was made, seconded and unanimously approved for adjournment.