MINUTES

The Fourth Annual Meeting
of
An Association of Administrators
of
The Interstate Compact
for the
Supervision of Parolees and Probationers

Hotel Schroeder, Milwaukee, Wisconsin
September 25, 1949

The Fourth Annual Meeting of Administrators of the Interstate Compact for the Supervision of Parolees and Probationers was held at the Hotel Schroeder, Milwaukee, Wisconsin on September 25, 1949. The meeting was called to order at 10:00 A.M. by the President of the Association, Mr. Reuben C. Grustuen of Minnesota. Approximately 50 administrators, associate members and guests were present. Following a roll-call of administrators present, it was voted to dispense with the reading of the Minutes of the previous meeting. The Reports of the President, Treasurer and Secretariat were then submitted. A summary of these reports and the action taken upon them follows:

ANNUAL REPORT OF THE PRESIDENT:

Pointing out that interstate cooperation was necessary if the states were to prevent undue encroachment upon their activities by the federal government, Mr. Grustuen warned against hypercritical attitudes toward, or lack of confidence in one's sister states. This is especially true, he said, in the field of corrections where a united front must be presented against pressure groups and those who are blind to the overall correction program. The Interstate Crime Compact is an outstanding example of what the states can achieve by cooperation. Minor disputes should, therefore, not be permitted to disrupt the operation of the Compact. Rules, regulations, and interpretations should be followed as closely as possible. And the underlying principle of cooperation should be observed at all times.

Mr. Grustuen went on to say that the Board of Managers of the Council of State Governments had recommended that the states band together to establish interstate projects which they could not inaugurate individually. This suggestion, he pointed out, might well be used in the field of corrections, training schools, reformatories, and prisons being furnished to sparsely populated areas by the cooperative efforts of States in those regions.

The Compact, he stated, is a great achievement; however we must not rest on our laurels. Parole and probation cannot be effective if the personnel needs in the field of correction are not recognized. Interstate parole and probation cannot be effective if States do not have adequate funds for return of violators. Centralized sending and receiving stations would contribute to the smooth functioning of the Compact. This last is a responsibility of the administrators and can only be accomplished by education of the courts and correction workers and promotion of the idea by the administrators themselves. The Administrators Association should continue to set
the pace in interstate relations in order that crime prevention, rehabilitation, and the protection of citizens may be carried out in a truly democratic setting.

Action taken: This report was acknowledged with the thanks of the Association.

ANNUAL REPORT OF THE TREASURER

In the absence of Treasurer Francis Bridges, Jr. of Florida, Mr. Crihfield of the Council of State Governments read the Annual Report of the Treasurer, indicating that the total expenditures since the last report (August 15, 1948) until the close of the fiscal year (June 30, 1949) had been $424.81. The balance as of the close of the fiscal year was $1693.81.

Action taken: This report was received with the thanks of the Association and referred to the Auditing Committee.

ANNUAL REPORT OF THE SECRETARIAT

Mr. Crihfield, reporting for the Secretariat, stated that the following progress had been made on directives from the previous annual meeting: (1) The question relating to the double waiver of extradition had been referred to Mr. James Bennett of the Department of Justice, but had not yet been settled. (2) The revised Handbook on Interstate Crime Control had been printed and was ready for distribution at $2.00 per copy to the general public. (3) A rough outline for a companion manual to the Handbook (designed primarily for the use of administrators) had been prepared for the administrators' approval. (4) A vote had been taken regarding the adoption of a change in the waiver of extradition and the addition of a new report of violation form, and these proposals had been approved. Those changes had been included in the sample forms carried in the new Handbook. (5) The Secretariat had requested the American Prison Association to study the subject of out-of-state imprisonment and Mr. Cass, General Secretary of that Association would report to the Conference in the afternoon.

Mr. Crihfield then took up new business, making the following recommendations: (1) That the Quarterly Reports on the Interstate Movement of Probationers and Parolees be made semi-annual. (2) That there be a discussion later in the day on the desirability of having the Joint Committee on Detainers prepare a supplementary report.

In addition Mr. Crihfield reviewed briefly the provisions of the Uniform Reciprocal Support of Dependents Act, a measure permitting the admission of written testimony in court. This act is designed to permit civil proceedings against an absconding father in the state to which he has fled, thus eliminating the need to extradite him. Mr. Crihfield reported that 10 states and the Virgin Islands had enacted this bill during 1949 and that other States were expected to follow suit during 1950. Copies of the Bill are available at the Council of State Governments.

Action taken: The Administrators took the following action on questions raised by Mr. Crihfield: (1) The suggestion that statistics on the interstate movement of parolees and probationers be compiled semi-annually instead of quarterly was
approved. (2) The Administrators approved the expenditure of $500 to cover the Association's share in the cost of printing the revised Handbook on Interstate Crime Control. It was agreed that 10 free copies would be issued to each administrator.

The Report of the Secretariat was approved by the Association, and upon motion by Commissioner Bates of New Jersey, the Association gave a vote of thanks to the Secretariat for its services during the past year.

Mr. Gordon of California then brought up an item of business from the previous annual meeting relating to affiliation with the American Prison Congress; after a brief discussion this item was tabled.

The group then turned to a discussion of Questions, Recommendations, and Suggestions carried in the printed agenda. This discussion continued throughout the day, and is summarized below. As the Conference adjourned for lunch President Brustuen announced appointments to the Resolutions, Nominating, and Auditing Committees. The luncheon address was given by Dr. Frank Flynn of the University of Chicago. Dr. Flynn discussed the merit of the suggestion that the use of probation be increased to prevent overcrowding of prisons; requirements for successful probation; the cost of probation to the community; problems caused by inadequate financing; and methods of gaining support for improved and extended probation programs.

**SUMMARY OF DISCUSSION AND DECISIONS ON QUESTIONS, RECOMMENDATIONS AND SUGGESTIONS**

I. OUT-OF-STATE IMPRISONMENT

Mr. E. R. Case, General Secretary of the American Prison Association, reported on his Association's survey of opinion regarding the desirability of out-of-state imprisonment. He stated that the prevailing opinion among the wardens he had written to was that such arrangements would be acceptable to them. However he pointed out that the constitutionality of this type of arrangement would have to be determined before any attempt is made to draft a formal interstate agreement. In addition, decisions would have to be made regarding remuneration to the receiving state, and institutional standards.

In regard to the constitutionality of out-of-state imprisonment, Mr. Criehfield pointed out that an agreement already existed between New Hampshire and Vermont for the supervision of women prisoners, and it was suggested that states could legally agree to supervise prisoners "within prison walls" under the same Consent Act which gave them the right to supervise out-of-state parolees and probationers. Commissioner Bates of New Jersey suggested that a parolee or probationer could be made to sign an agreement before leaving the sending state to the effect that he would allow himself to be imprisoned in the receiving state for the remainder of his sentence if he should violate his parole.

* Based on official Agenda of the meeting.
It was pointed out that some States require prisoners to re-serve time spent on parole if a violation occurs, and that this might enter into the question of out-of-state imprisonment. Mr. Giardini of Pennsylvania mentioned the fact that there would be a question as to whether receiving states should be remunerated for supervising parole violators in prison since parolees supervised under the Compact are usually residents of the receiving state. He reminded the delegates that receiving states are not now paid for expenses involved in supervising individuals sent by other states on probation or parole.

Mr. Case offered to assist in gathering opinions concerning the legal aspects of out-of-state imprisonment, and it was agreed that a committee be appointed to study the problem of out-of-state imprisonment.

II. COMPANION MANUAL TO THE HANDBOOK ON INTERSTATE CRIME CONTROL

Plans for a Manual to cover material which would be of importance to administra-
tors rather than the general public were approved. It was agreed that the Manual should be a loose-leaf volume so that the Secretariat can send substitute pages and new material for insertion. Mr. Wood of Wisconsin suggested that a "change sheet" be provided in order that administrators might keep a record of substitutions and this was agreed to. The Administrators approved the outline prepared by the Secretariat and directed that there be a page for each of the non-signatory States as well as the Compact States. The Administrators further directed that a question-naire be drafted for the purpose of securing material for the State Pages, and specified that questionnaires drafted by the University of Notre Dame and the National Probation and Parole Association should be reviewed for material.

III. DETAINERS

Mr. Criehfield pointed out that correspondence with Attorneys General and state officials indicated that the suggestion of the Joint Committee on Detainers that Attorneys General serve as a clearing-house for detainers should be reviewed and supplemented, since limitations of staff and other factors would hinder the Attorneys General from acting in such capacity. A discussion of problems caused by detainers ensued. It was agreed that the following practices would be of assistance in solving the problem: (1) An attempt on the part of each administra-
tor to educate his staff and the corrections officials in his state to work with the Attorney General; (2) A routine interchange of forms whereby information regarding a detainer would be given on request; (3) Cooperation between parole boards in determining a program for the prisoner.

Mr. Finsley of California reported that his State is beginning a program of advance screening whereby an attempt is made to clear detainers at the time they are filed. The California Adult Authority plans to write to States which file detainers, requesting information as to the future of the detainer and indicating a willingness to consider some kind of a joint program. Commissioner Bates asked if States in which prisoners are given indeterminate sentences could agree to hold the prisoner for a term long enough to satisfy officials holding a detainer against him. Mr. Gordon of California reported that there were indications that this would be considered unconstitutional in his State on the grounds that an administrative body would be usurping the function of a court.
It was agreed that the Joint Committee on Detainers should be asked to continue its consideration of the problem of detainers. The Secretariat was directed to include questions relating to the effect of detainers on parole and probation in the questionnaire which will be drafted for the State Pages of the Companion Manual.

IV. QUESTIONS OF COMPACT OPERATION AND POLICY

A. Acceptance and pre-parole investigation.

It was agreed that the standards set up by the compact should not be lowered officially; however, it was further agreed that all administrators should accept the fact that deviations will occur, and that these deviations are usually beyond the control of the administrators. The successful operation of the compact demands a spirit of mutual helpfulness. When the administrator of one state is unable to live up to the terms of the compact, his fellow administrators should adjust to the situation if it is at all possible. Many of the administrators appeared to be willing to accept a promise of maintenance as a substitute for the employment requirement.

The Administrators discussed the difficulties faced by states with inadequate probation facilities, and it was agreed that Administrators were not expected to do more for out-of-state probationers than they would for their own probationers. Mr. LeFlore of Oklahoma suggested that public spirited citizens might be asked to supervise probationers when the case loads of probation officers are too high. Mr. Gordon of California pointed out that local chiefs of police were also sometimes willing to do this.

It was agreed that the sending state rather than the receiving state had the right to determine whether or not a parolee was a good risk.

B. Violators

Under this section the administrators discussed the authority of receiving States to arrest violators before receiving a warrant from the sending state. It was pointed out that many states already hold that the power to arrest is inherent in the power to supervise; administrators in states where this philosophy does not prevail are sometimes able to arrange for arrest with local police officers (who are usually willing to cooperate if they are given a written request, relieving them of responsibility for the action). In one or two states violators are arrested as fugitives from justice; however this involves the danger of charges of false arrest if the administrator of the sending state should refuse to consider the parolee a violator and ask for his return. The Secretariat was directed to include a question on this subject in the questionnaire for the State Pages of the Manual in order that some estimate might be made as to the number of states which permit arrest before receipt of the sending state's warrant. The suggestion was also made that the prisoner could sign an agreement that the receiving state could arrest him.

The Administrators also discussed the problems caused by the fact that some states do not send for their violators. Mr. Gordon, the California Administrator pointed out that some of these violators were juveniles who had been sent back to their parents after breaking the law during brief escapades in other states and
indicated that it was California's feeling that these children should remain in the state in which they had roots. The Administrators agreed that the major source of difficulty in adult cases was the lack of funds with which to return violators from distant places. It was pointed out that in some States families of prisoners who wish to be paroled out of state are required to post a bond to cover transportation back to the sending state in case of violation. It was moved by Commissioner Bates, seconded by Mr. Randall of Oregon, and agreed to, that the Secretariat be directed to approach the State Budget Officers representing the importance of providing money for the transportation of prisoners under the parole Compact.

C. Juveniles

The consensus seemed to be that juveniles should be covered by a new Compact. Mr. Randall of Oregon reported that the Western Parole Association was considering drafting such a compact, and Mr. Crinfield assured him that the Secretariat would assist this group. It was pointed out that juveniles were not extraditable and that the compact would probably have to be specially worded to cover juvenile cases adequately.

D. Use of Automobiles

Indications were that state laws varied in this regard, but several delegates reported that parolees and probationers were forbidden to use automobiles without special permits.

V. ARRANGEMENTS FOR SUPERVISION IN CANADA, WASHINGTON D.C. AND THE POSSESSIONS AND TERRITORIES.

The administrators were fortunate in having two representatives of the Clemency Office of Ottawa, Canada present as guests and it was the opinion of these gentlemen and the assembled administrators that existing arrangements were working well enough to obviate the drafting of a formal agreement.

It was agreed, however, that enough parolees and probationers were moving between the States and other jurisdictions of the United States to warrant an extension of the Compact. Accordingly, it was moved, seconded and agreed to: (1) That the District of Columbia and the territories and possessions of the United States be considered eligible to become party to the Compact, and that the machinery for bringing this about be left to the Secretariat. (2) That the United States Parole Board and the administrative officer of the United States Courts be invited to participate as ex-officio members of the Administrators' Association.

VI. RULES, REGULATIONS AND FORMS

It was the consensus that special reporting blanks and forms could be substituted for the official forms printed in the Handbook if such substitute forms are mutually agreed upon by and among the states using them.
VII. EDUCATION AND EXCHANGE OF INFORMATION

No action was taken on this item of the agenda.

Having completed their discussion of Questions, Recommendations and Suggestions, the Administrators heard and approved unanimously the reports of the Resolutions, Auditing and Nominating Committees. These reports are attached.

At 5:00 P. M. the meeting adjourned.
REPORT OF THE RESOLUTIONS COMMITTEE

Your Committee makes the following report of resolutions:

I.

WHEREAS, the Joint Committee on Detainers, established pursuant to action taken by the Compact Administrators Association, has not yet been able to reach definite conclusions regarding this perplexing problem; and,

WHEREAS, this subject of study is of particular importance;

NOW, THEREFORE, BE IT RESOLVED, that the Joint Committee on Detainers continue with its study and submit its final recommendations to this Association at the next annual meeting;

BE IT FURTHER RESOLVED, that the president of the Compact Administrators Association is hereby authorized to make such substitutions or additions to the committee as may be necessary.

II.

WHEREAS, the Secretariat has already made some preparation for a companion manual to the Handbook on Interstate Crime Control; and,

WHEREAS, the Compact Administrators Association recognizes the desirability of the completion of this task;

NOW, THEREFORE, BE IT RESOLVED, that this Association hereby directs the Secretariat to complete this work as promptly as possible.

III.

WHEREAS, the Compact Administrators Association has demonstrated the fact that there is a lack of cohesion and uniformity in the standards of probation within many of the individual states;

NOW, THEREFORE, BE IT RESOLVED, that each state provide for some suitable state agency to be charged with the task of elevating and standardizing procedures and policies in probation throughout each state, and improving personnel and facilitating the collection of information and statistics.

BE IT FURTHER RESOLVED, that the National Conference of Commissioners on Uniform State Laws be requested to consider the means of accomplishing this end through uniform state legislation.
IV.

WHEREAS, this session of the Compact Administrators Association has revealed the high quality of leadership of our President and the officers of his administration and the very able assistance given by its Secretariat;

NOW, THEREFORE, BE IT RESOLVED, that this Association hereby expresses to President Reuben C. Erstuen and the officers of his administration its deep appreciation for the services which they have rendered during the past year;

BE IT FURTHER RESOLVED, that the Association extend its sincere thanks to the Council of State Governments and especially to B. E. Cribfield for his efficient efforts for the Association throughout the year and at this session.

Signed: E. M. Randall
Sanford Bates
Lawrence E. Higgins
Charles P. Chew
Mrs. Irma C. Walsh
REPORT OF THE AUDITING COMMITTEE

We the undersigned auditors have examined the accounts of the Hon. Francis R. Bridges, Jr., Treasurer of the Association of Administrators of the Interstate Compact and find that receipts and disbursements are in accordance with his Annual Report as submitted at the Annual Meeting. We attach herewith statement from the Capitol City National Bank of Tallahassee, Florida verifying the balance on hand to the credit of the Association is $1393.81.

Signed: John P. Jarvis, Chairman
W. P. Ball, Member

AUDITORS
Milwaukee, Wisconsin, September 25, 1949

CAPITOL CITY NATIONAL BANK
of Tallahassee
Tallahassee, Florida
September 8, 1949

Hon. Francis R. Bridges, Jr.
P. O. Box 1107
Tallahassee, Florida

Dear Mr. Bridges:

This is to certify that the balance standing in the name of Interstate Compact Administrators Association as of June 30, 1949, was $1393.81.

Yours very truly,

(Sig. Fred N. Lowry)
Vice President and Cashier
REPORT OF THE NOMINATING COMMITTEE

Your Committee makes the following report:

PRESIDENT: Sanford Bates of New Jersey
VICE PRESIDENT: Walter A. Gordon of California
TREASURER: Francis R. Bridges, Jr., of Florida
SECRETARIAT: The Council of State Governments

MEMBERS OF THE COUNCIL:
Donald Bunker of Missouri
Charles P. Chew of Virginia
Joseph H. Bagen of Rhode Island
Harvey L. Hire of Indiana
John J. Quine of Washington

EXECUTIVE COMMITTEE (in addition to the officers)
Mrs. Irva C. Walsh of Kansas
Glenn R. Klopfenstein of Ohio
W. P. Ball of Arkansas
H. M. Randall of Oregon
Robert G. Smith of Vermont

Signed: E. A. Marfell, Chairman
Mrs. Edwina Mitchell
Henry C. Hill
Harvey L. Hire
Robert G. Smith

Milwaukee, Wisconsin
September 25, 1949