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

MINUTES OF THE FIFTH ANNUAL MEETING
Hotel Statler, St. Louis, Missouri,
October 8, 1950

ADMINISTRATORS PRESENT

Arkansas: W. P. Ball, Board of Pardons and Paroles
California: Walter Gordon, Adult Authority
Connecticut: Judge Henry H. Hunt, Commission on Intergovernmental Cooperation
Delaware: Percival R. Roberts, State Board of Parole
Florida: Francis R. Bridges, Jr.
Georgia: Edward R. Everett, State Board of Pardons and Paroles
Idaho: H. P. Fails
Illinois: Harvey L. Long, Division of Supervision of Parolees
Indiana: J. O. Copeland, Division of Corrections
Iowa: *Virginia Bedell, Iowa Board of Parole
Kansas: Irma C. Walsh, Board of Administration
Kentucky: Darrell B. Harnock, Division of Probation and Parole
Maryland: F. Murray Fenlon, Division of Probation and Parole
Massachusetts: *Harold R. Lundgren, Massachusetts Parole Board
Michigan: Gus Harrison, Division of Pardons, Parole and Probation
Minnesota: Gordon S. Jacck, State Board of Parole
Missouri: Donald W. Bunker, Board of Probation and Parole
Nebraska: *Loretta A. Walker
New Jersey: Sanford Bates, Department of Institutions and Agencies
New York: *Harry C. Dupree, Division of Parole
Ohio: Glenn R. Klopfenstein, Bureau of Probation and Parole
Oklahoma: Campbell LeFlore, State Pardon and Parole Board
Oregon: H. M. Randall, Director of Parole and Probation
Pennsylvania: *R. G. Farrow, Pennsylvania Board of Parole
Vermont: Robert G. Smith, Department of Institutions and Corrections
Virginia: Charles P. Chew, Virginia Parole Board
West Virginia: R. M. Knott, Office of Probation and Parole
Wisconsin: Russell G. Oswald, Division of Corrections

* Representing the Compact Administrator
SUMMARY OF PROCEEDINGS

The Fifth Annual Meeting of Administrators of the Interstate Compact for the Supervision of Parolees and Probationers was held at the Hotel Statler, St. Louis, Missouri on Sunday, October 8, 1950. Approximately 65 people attended the meeting, including compact administrators or their alternates from 28 states. The meeting was called to order at 10:00 A.M. by the President of the Association, Commissioner Sanford Bates of New Jersey. Following a roll call of administrators present, it was agreed that the reading of the Minutes of the previous meeting should be dispensed with. There followed a brief address of welcome by President Bates.

ADDRESS OF PRESIDENT BATES

President Bates stated that, to him, the success of the Interstate Compact for the Supervision of Parolees and Probationers was a gratifying indication that interstate action could do much to solve the problems of diversity created by the federal form of government established by our Constitution. Indicating that the heterogeneity of peoples and cultures in the United States had made the establishment of states a wise move on the part of the drafters of the Constitution, he said that the advantages of this federal set-up far outweighed the disadvantages and complications created by variations in state practices and laws. "The federal set up", he said, "does make it difficult to deal with crime, but we have taken long steps ahead in solving this problem by our attempt to work together on interstate crime control." He paid a tribute to the long and valuable services of Judge Richard Hartshorne in the field of interstate crime control and stated that it should give Judge Hartshorne great pleasure to know that 46 states had now joined the Interstate Compact for the Supervision of Parolees and Probationers which he had helped to found.

Indicating his belief that the Annual Meetings of the Administrators' Association were exceedingly valuable media for the exchange of ideas and information among the administrators, he declared that, in his opinion, the last few meetings of the Association had been characterized by some of the most active and realistic discussions he had ever witnessed and he expressed the hope that the day's discussions would be equally profitable.

President Bates then called for the Annual Reports of the Secretariat and the Treasurer.

ANNUAL REPORT OF THE SECRETARIAT

Mr. Erevard E. Gribfield, Eastern Representative of the Council of State Governments made the Annual Report of the Secretariat. The text of this report is reprinted on the colored pages at the end of these Minutes.

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

ANNUAL REPORT OF THE TREASURER

Mr. Frances Bridges, Jr. of Florida, Treasurer of the Association, reported that as of the close of the fiscal year (June 30, 1950) the Association had expended $423,36 and had a balance of $2,320.45. He added that a payment of $500. to the Council of State Governments for the Association's share of the expense of printing
the Handbook on Interstate Crime Control had been made after the close of the fiscal year and would be reported in the Treasurer's Report for the fiscal year ending on June 30, 1951.

Action taken: In accordance with established procedure, this report was submitted to the Auditing Committee for review.

APPOINTMENT OF COMMITTEES

President Bates then appointed the following committees:

Resolutions: Chairman, Harvey Long (Illinois); Messrs. Dupree (New York), Dunker (Missouri), Bridges (Florida), Fails (Idaho).

Nominating Committee: Chairman, Charles P. Chew (Virginia); Messrs. Smith (Vermont), Benson (Maryland), Randall (Oregon), Mrs. Walsh (Kansas).

Auditing Committee: Chairman, Russell G. Oswald (Wisconsin); Messrs. Ball (Arkansas), Roberts (Delaware).

DISCUSSION OF QUESTIONS, RECOMMENDATIONS AND STATEMENTS

President Bates then called for a discussion of the printed list of Questions, Recommendations and Statements submitted by Administrators in advance of the meeting, and suggested that additional topics not carried on the list be brought up at appropriate times throughout the day. A summary of all important topics discussed follows:

Companion Manual to the Handbook on Interstate Crime Control

Mr. Crihfield reviewed briefly the plans of the Secretariat for the Companion Manual to the Handbook on Interstate Crime Control. He reported that most of the questionnaires had now been returned and that the Manual should be ready for publication shortly. It was agreed that each state should be sent three copies of the Manual unless they informed the Secretariat in advance that more would be needed. It was also agreed that when new pages were added to the Manual the Secretariat would send enough copies to bring all of the manuals in a state up to date, but that all of those copies would be sent to the Administrator, and that the Administrators would have the responsibility for distributing them within their states. The consensus was that the Manual should be distributed mainly to the Administrator's staff rather than being distributed to parole and probation officials throughout the state.

Proposals for Interstate Agreements on Detainers

The discussion of interstate agreements on detainers was opened by Mr. Crihfield who called the delegates' attention to two draft agreements on this subject which were printed in the agenda. These tentative drafts had been prepared by Professor Mitchell Wendell of American International College as a result of discussion at the Meeting on Out-of-State Incarceration and Detainers held in New York City on August 6, 1950. Pointing out that Professor Wendell had been courageous enough to "take a stab" at a problem about which a number of other legal experts had been unable to
reach agreement, he cautioned the delegates that Professor Wendell did not feel that the two drafts were by any means complete. He explained that they were almost identical in purpose and that two drafts had been written only because there had been some feeling at the August 8 meeting that the Administrators might want to limit this project to a Compact Amendment relating to detainers pending against individuals supervised under the Compact instead of trying to cover all types of detainers. It was suggested that discussion center about the proposal for the Compact Amendment for the time being, with the idea in mind of reviewing the "Proposal for General Application" later on if the discussion revealed agreement as to general approach. He then called on Dr. Sixby of New Jersey for a brief summary of the deliberations at the August 8 meeting which led to the drafting of these proposals. Dr. Sixby reported that the consensus at the August 8 meeting was that detainers sometimes interfered unnecessarily with the rehabilitation of criminals. A report from the Secretariat at that meeting had revealed that a number of states withhold trustyships and other privileges designed to prepare a prisoner for freedom, from prisoners who have detainers pending against them. Such states often find at the end of the prisoner's sentence that the jurisdiction which has placed the detainer has decided not to follow it up and that the prisoner has been held in close custody unnecessarily. In addition, uncertainty as to the intentions of the jurisdiction which has placed the detainer makes it difficult to plan an efficient rehabilitation program. "Therefore," said Dr. Sixby, "the delegates at the August 8 meeting recommended that proposals be drafted to expedite the settlement of detainers. The specific purpose of these proposals is to force the jurisdiction which has placed the detainer to make a prompt decision as to the disposition of its detainer." He added that, while he was in favor of an attempt to solve the detainer problem, he was merely reporting the sentiments of the group which met on August 8 and did not want the present group to feel that he was urging immediate and unconsidered adoption of the proposals before it.

A general discussion of the proposal for the Compact Amendment then ensued. Mr. Fails of Idaho pointed out that the plan might place an additional strain on overburdened budgets since it would mean that a prisoner would have to be sent out of state to be tried, brought back to serve his present sentence, and then returned to serve whatever sentence he was given when he was sent out of state. Some delegates also expressed the feeling that detainers were not particularly a parole problem, but the consensus seemed to be that detainers usually affect parole at least indirectly, and therefore were an appropriate subject for consideration and action on the part of the Administrators Association. It was agreed, however, that the Amendment proposal before the group would not be particularly useful unless there were untried charges pending against an individual in another state, and it was decided that any new draft of the proposal should indicate specifically that the agreement related only to those who were to be tried.

Several administrators expressed uneasiness about the fact that the Compact Amendment contained no language assuring a state of the return of its prisoner from a state to which he was sent for the purpose of clearing a detainer. Mr. Crihfield reported that it was intended that this assurance be embodied in a waiver of extradition similar to that used under the present compact. He stated that there was some evidence that a state would have the legal right to retake such a prisoner even if a waiver were not signed and briefly reviewed a legal brief which had been prepared for the Secretariat. This brief cited numerous court cases which had supported the opinion that a prisoner might be returned to a demanding state even if he went outside the state involuntarily. However, he added that, despite legal precedent, some states have had difficulty retaking prisoners sent out of state to serve as
witnesses under the Out-of-state Witnesses Act and that it definitely appeared advisable to establish the use of a waiver form on the part of states which became signatory to the agreement on detainers. He pointed out that the waiver, used under the Interstate Compact for the Supervision of Parolees and Probationers, had turned out to be a very effective legal device. He suggested that a waiver form used under the detainers agreement would probably have equal validity in court and reported that the waiver form could be drafted and put into use as part of the Rules and Regulations established by the Administrators of states signatory to the detainers agreement. "Under the Interstate Compact for the Supervision of Parolees and Probationers," he pointed out, "the waiver is handled in the same way. It is covered in the Rules and Regulations established by the Administrators of the Compact. The assurance that the prisoner will not contest the right of the sending state to retake him is covered by the waiver form, not by language in the compact itself.

Mr. Roberts of Delaware reported that, in his state, it might be difficult to arrange for the removal of an individual from prison for trial in another state since this was already difficult to accomplish in respect to trials within the state. A few administrators also objected to the proposal on the grounds that detainers did not constitute a problem in their states, but Mr. Crihfield pointed out that such states would not have to concern themselves with the proposal. "This agreement," he said, "would be effective only for and among such states as adopted it in their legislatures. Membership in the Interstate Parole and Probation Compact would not automatically force a state to participate in this agreement."

There was a brief discussion of alternatives to this proposal. Two suggestions were made. The first was that any jurisdiction placing a detainer be forced to place a bond as evidence of its good faith and intention to follow up on the detainer. The feeling, however, seemed to be that the states would not have enough money to do this. The second suggestion was that all jurisdictions placing detainers be forced to give a definite commitment in writing as to their intentions on the detainer. No agreement was reached on this suggestion.

Returning to the discussion of Professor Wendell's proposals, the group agreed that only one draft of the agreement would be necessary and that this draft would not necessarily have to be a Compact Amendment, but might take the form of an entirely new Compact or even a Uniform State Law.

It was moved, seconded and agreed to that the proposal for an interstate agreement on detainers be referred to the Association's Council with the directive that the wording be clarified to cover only those to be tried.

In the course of the discussion on detainers it was pointed out that federal policy in regard to detainers is particularly strict and that federal prisoners are denied parole if they have detainers pending against them. It was suggested that, since an agreement between the states could not alter federal policy, the Association should attempt, by persuasion to encourage a less rigid policy on the part of federal officials in regard to detainers. (Later in the day a resolution on this subject was submitted by the Resolutions Committee and approved by the Association. See Resolution IV, page 14).

Proposed Amendment to the Compact on Out-of-State Incarceration

President Bates then called for a discussion of the proposal for a Compact
Amendment permitting out-of-state incarceration of violators. Mr. Critchfield stated that, like the detainers proposals, this proposal had been drafted by Professor Wendell at the request of the August 8 meeting on Out-of-State Incarceration and Detainers and was intended only as a "jumping off point" for discussion. He explained that the major purpose of the August 8 meeting had been to review the suitability of out-of-state incarceration as a possible solution to the problems caused by the inability of states to retake their violators and said, "The antagonisms and difficulties caused by the refusal of states to retake their violators are many. At times it almost seems that they will shatter the Compact. We have agreed again and again that the basic difficulty is not a shortage of the cooperative spirit but a shortage of money. This is, perhaps, an answer. It may not work in all states, and it may not be adopted by all states, but surely, even if it is only ten percent effective, we will have gained something and lost nothing by putting this proposal into effect." He emphasized the fact that, like the detainers proposals, the out-of-state incarceration proposal would be effective only by and among such states which took legislative action. "Even if the Administrators Association approves these proposals unanimously", he said, "they will not be binding upon any state which does not pass a legislative act concerning them. Each state must decide for itself whether or not this proposal will be useful and desirable. If only two states adopt it, it will be in effect only between those two states". President Bates then called for comments upon the draft amendment.

It was pointed out that Section 1 of Professor Wendell's draft limited the applicability of the amendment to parolees and probationers found in the state to which they had been formally sent for supervision. There was general agreement that it would be most desirable to have this language broadened so that it would authorize the incarceration of individuals in any other signatory state to which they might have absconded. The opinion was expressed that this might easily be accomplished by defining "receiving state" in the Amendment to include any signatory state to which the individual might have fled.

The subject of state laws requiring hearings for violators was brought up, and Mr. Critchfield called the attention of the group to the fact that provision had been made in Section 4 of the draft for the tribunals of the "receiving" state to act as agent for the sending state, so that instead of being sent home for a hearing, the individual would have his hearing in the receiving state. In this connection it was pointed out that in states where hearings are not necessary a suitable tribunal might not exist, and it was agreed that states without suitable tribunals would probably have to establish them if they were to accommodate prisoners from states where hearings are necessary under the law. A question was raised as to the legality of out-of-state hearings and President Bates asked Mr. Gordon of California to give his opinion as a lawyer. Mr. Gordon replied that it was his general feeling that such an arrangement was legally acceptable and "would stick" in court. Mr. Dupree of New York suggested that the agency relationship between the sending and receiving state should be made more specific so that there would be assurances that the tribunals of the receiving state would not make decisions without considering the wishes of the sending state. It was therefore agreed that the phrase "after consultation with appropriate officials of the sending state" should be added at the end of the last sentence of section 4 so that the language relating to the substitution of the receiving state's tribunals would read "the hearing or hearings, if any, to which a parolee or probationer may be entitled (prior to incarceration or reincarceration) by the laws of the sending state may be had before the appropriate judicial or administrative officers of the receiving state. In this event, said judicial and administrative officers shall act as agents of the sending state after consultation with appropriate officials of the sending state."
There was a request for an explanation of Section 2 which provides that "Every state which adopts this amendment shall designate at least one of its correctional institutions as a 'Compact Institution' and shall incarcerate persons therein as provided in Section 1". Several delegates expressed the viewpoint that they would not care to incarcerate all types of cases in a single institution. Dr. Bixby stated that this matter had been also brought up at the August 8 meeting, and that the section had been explained to his satisfaction there. Section 2, he reported, had been inserted in the draft for purely legal reasons, and need not have any practical effect on the operation of the amendment. He pointed out that the language states that each state shall designate "at least one" institution as a compact institution, but does not limit the states as to the number of institutions which shall be designated as "Compact Institutions". Therefore, a state might, if it chose, designate every institution in the state as a "compact institution", leaving itself free to incarcerate out of state cases in the most suitable prison or institution.

Mr. Crichtfield was asked to explain just what the rights of the sending and receiving states would be after they passed the agreement in their legislatures. Several of the Administrators expressed the feeling that they would not care to be forced to incarcerate individuals they had sent out of state for supervision in certain states which had different penal policies than their own. Mr. Crichtfield reported that the provisions of the draft seemed to give adequate assurance in this regard and referred the delegates to Section 1 which provides that the officials of the sending state "may direct", if they wish, the incarceration of an individual in the receiving state "such receiving state to act in that regard solely as agent for the sending state". He also referred the delegates to Section 3 which states that such individuals remain under the jurisdiction of the sending state and may be removed by the sending state at any time. "These two sections", he pointed out, "place the right of decision in the hands of the sending state. It will be the right of the sending state to use the amendment to incarcerate an individual—on the other hand if a state does not wish to have him incarcerated it will have an equal right not to make use of the provisions of the amendment. Moreover, if it should decide to have the individual incarcerated in a prison of another state and later decides that it doesn't like the treatment he is getting or that it wants him back, or wants to free him, it has a perfect right to remove him from the receiving state's prison. The draft clearly states that the officials of the sending state may remove the prisoner for any purpose 'permitted by the laws of the sending state'".

On the other hand, he pointed out, the agreement would be binding upon the receiving state. As the draft is now written, the receiving state appears to be compelled to incarcerate an individual upon a directive from the sending state. A brief discussion of this point ensued, and agreement seemed to be general that there should be some additional study of this matter.

Several other questions were raised as to the operation of the proposed amendment. Mr. Bridges of Florida pointed out that receiving states might want to place some limitation on the length of out of state incarceration they would provide, and would probably at least want to have some information as to how long they would be expected to keep the prisoner. Mr. Crichtfield suggested that agreements as to such things could probably be fitted into a set of rules and regulations to be drafted and adopted by whatever states adopted the Compact Amendment. He pointed out that this procedure had been used fairly effectively under the Parole and Probation Compact and added that it might be wise to make the Compact Amendment itself too technical since it would mean that the Administrators would have to go back to their legislatures to change any rule written into the Compact. The question of financial obligations was raised and Mr. Crichtfield reported that the Secretariat's recent survey of
Administrators on this subject had revealed that most Administrators felt that the sending state should bear the expense, paying the receiving state board, etc. when the receiving state incarcerated an individual at the sending state's request. He suggested that since the feeling seemed to be very strong that the sending state should pay, the Administrators might want to write this into the actual language of the amendment. However, he pointed out that one or two pairs of states might feel that their reciprocal caseloads would balance and therefore might wish to be free to make arrangements to incarcerate each other's prisoners without charge.

At the conclusion of this discussion, President Bates asked for a show of hands on the proposal that the Association continue to work on the draft with the intention of placing it before the state legislatures as soon as possible. All but two of the Administrators voted in favor of continuing with the project and the Secretariat was therefore directed to arrange for the perfection of the draft at the earliest possible date.

Proposal for a Central Clearing House for the Return of Violators

Mr. Harrison of Michigan then requested permission to take the floor in behalf of a group of administrators which had discussed another proposal for easing the financial burdens involved in the retaking of violators. Mr. Harrison suggested that the Association consider the establishment of a centrally located clearing house which could be notified when a parolee or probationer was awaiting return to his sending state. He explained that it would be the function of this clearing house to draw up routes and schedules which would permit an agent to pick up and deposit all violators awaiting return along the way. Mr. Harrison stated that he had frequently sent agents to a distant state to pick up a Michigan parolee only to find an agent from that state or a neighboring state in Michigan a short time later after an individual Michigan was supervising. He pointed to the tremendous loss in "time, money, and motion" under the present system whereby each state retakes its own cases, and reported that the general feeling among the administrators of the Central States was that an organized approach should definitely be tried. He reported that the Central States' Administrators who were present seemed to be willing to set up such a clearing house as an experiment so that the practicality of the suggestion could be demonstrated.

President Bates then asked for comments on this suggestion. Mr. Gordon of California pointed out that it would be a bit complicated for California to try to participate in such an arrangement because California must name the agent who is retaking a case in her extradition papers. (Extradition papers are filed by California despite the fact that they are not needed under the Compact because money for retaking violators comes out of a fund earmarked for extradition purposes.)

Mr. Dupree of New York suggested that it would be inadvisable to set up such a clearing house until the Association at least had some statistics which would indicate how feasible and desirable the plan was. He recommended that all states be asked to submit statistics for a given period so that theoretical trips could be plotted and an estimate made of how many parolees who were awaiting return in the various states during this period could have been escorted under the clearing-house plan. There seemed to be general agreement that the Association should attempt to determine how much business the clearing house would get and how much money would be saved on travel expenses before it recommended the expenditure of money on a central clearing house.
A question was raised as to the need for legislation to permit such agents to retake violators for other states. Mr. Harrison expressed the belief that this could be done without legislation since the state which wished to have a parolee or probationer retaken could merely designate the agent dispatched by the clearing house as its agent. Some of the other administrators, however, expressed doubt as to the legal validity of this procedure.

As a result of these discussions, it was moved, seconded and agreed to that the Secretariat investigate the feasibility of the proposal for the establishment of a central clearing house for the more economical return of parole and probation violators.

Probationers and the Compact

President Bates called for a discussion item III E2 of the Agenda, "The problem of probationers accepted for supervision where the sending state agency has no authority to revoke", and asked Mr. Long of Illinois, who had requested the discussion, to take the floor. Mr. Long explained that in some states the administrator has no authority to retake probation violators because the power to declare probationers violators and request their return lies in the hands of the state's courts. A discussion of this problem ensued. It was pointed out that many courts send probationers out of the state to dispose of them rather than to rehabilitate them and that it was therefore exceedingly difficult to persuade such courts to order the return of violators. There seemed to be general agreement that most of the difficulties in Compact operation arose over probation cases, and the opinion was expressed that, "While the Compact has stopped sundown parole almost completely, sundown probation is as prevalent as it was when the Compact began...and is in fact growing rather than decreasing".

Mention was made of California's law which requires the channeling of interstate probation cases through the Administrator's office and Mr. Gordon of California was asked to comment on the operation of this law. Mr. Gordon reported that to date the law did not represent a complete solution to the problem since some courts were still sending cases out independently despite the fact that the law had been brought to their attention. He outlined his office's efforts to educate California's Courts and probation officers regarding Compact procedure and reported that his office had already distributed six hundred copies of the "Handbook on Interstate Crime Control" to appropriate officials in the state of California. He also submitted a recent circular letter which was mailed to this group and it was agreed that the Secretariat should distribute it to the members of the Administrators Association.

A discussion ensued regarding complaints which California has been receiving from other states. It was agreed that most of these cases involved individuals who were not under the direct jurisdiction of the Compact Administrator, and the opinion was expressed that Mr. Gordon was doing his best under difficult circumstances. Mr. Gordon pointed out that while California had received a number of complaints from other states, California, in turn, often had the same complaints to make. "However," he said, "we do not object to receiving these complaints. In fact we ask that you continue to send them whenever difficulties occur." Referring again to California's law requiring clearance of interstate cases through the Compact Administrator, he requested that complaints be sent directly to his office marked for his personal attention rather than to the probation officer in charge of the case. He explained that when such complaints were received his office could work with the probation officer and the court and perhaps achieve a satisfactory settlement.
On the subject of expediting the retaking of probationers under the jurisdiction of the Court, Mr. Hancock of Kentucky reported that his state avoided difficulties in many instances by making arrangements with cooperative courts for the Administrator's office to bear the expense of retaking the case. President Bates suggested that states which did not have centralized probation systems might consider a law which would give some central agency the right to revoke out-of-state probation. It was also suggested that the Association should continue to push centralization of state probation systems.

It was agreed that the Secretariat should study the possibility of uniform laws on probation.

Retaking of Violators

President Bates then suggested that the group discuss other items on the agenda relating to the failure of states to retake their violators. Mr. Chew of Virginia pointed out that states which did not have money to retake violators should not send the cases out in the first place. Mr. Hunsaker of Missouri stated that in some cases a refusal to retake a violator was occasioned by the belief that the violation was not serious enough rather than by a lack of funds. He said that there were instances in which his state felt that recommendations of field officers in the receiving state should not have been accepted as an automatic indication that the individual should be returned to his sending state. There seemed to be general agreement that, while an administrator must give due credit to the recommendations of his field officers, he should screen notices of violation rather carefully to be sure that there were good and sufficient reasons for asking the sending state to come and get its parolee or probationer. Mr. Dupree remarked that differences in parole policies and standards made administrators reluctant to supervise cases from certain states, but that if the states had good records in regard to retaking violators they usually met with no difficulty in getting their cases supervised, and several of the administrators reported that this had been their experience.

Excessive Fees

The group discussed excessive fees charged in some states for holding violators. It was agreed that this was a matter for education and persuasion. In connection with the fees and costs involved in picking up prisoners, it was reported that the Federal Government permits the transfer of federal prisoners to federal prisons located near the jurisdiction which has placed a detainer. For instance, if Missouri has placed a detainer against a federal prisoner in Alcatraz, Missouri might be permitted to pick the prisoner up at Terre Haute. Mr. Griespie reminded the delegates that the Secretariat had run a survey on extradition fees charged by the states and reported that a few copies were still available if anyone wanted them.

Reinstatement on Parole After Violator Has Served Sentence For a New Crime.

There was a brief discussion of item III.5 of the Agenda regarding the possibility of reinstating individuals on parole after they have violated parole by committing a crime in the receiving state and have served time for the new crime. Mr. Fails of Idaho pointed out that in many instances it was practical to have such a parolee serve a joint parole for the sending and receiving states. In this connection it was pointed out that a detainer was often useful since it gave the sending state an opportunity to decide, at the end of the parolees new sentence, whether or not a joint parole seemed advisable.
Application of the Compact to Misdemeanants

There was a general discussion of items under section IV A of the Agenda relating to misdemeanants. Mr. Criffield pointed out that misdemeanants were covered under the Compact since the Compact applies to anyone convicted of crimes or offenses. Several delegates expressed the opinion that they would prefer not to become involved in the supervision of all misdemeanor cases, and there seemed to be general agreement that there was no need for the Association to urge that all misdemeanor cases be sent to the office of the Administrator of the receiving state. The consensus seemed to be, however, that when requested to do so, the Administrators should undertake supervision.

Supervision of Juveniles

President Dates then called for a discussion of items under section IVB of the Agenda relating to juveniles and called upon Mr. Hancock of Kentucky. Mr. Hancock reported that it was sometimes burdensome to make arrangements for the supervision of juveniles because of the amount of special information and correspondence some agencies required before the juvenile was placed. He pointed out that all questions in regard to the placement should be submitted at once, if possible, and that the information and time an administrator is asked to furnish on a juvenile case should be similar to that expected on an adult case.

Discussing Mr. Gordon's suggestion that consideration be given to a Compact for juveniles, Mr. Criffield reported that a number of administrators had expressed the opinion that such a compact would be helpful. Mr. Gordon pointed out that, technically, juveniles are not covered by the Compact unless they have been convicted. Mr. Criffield stated that, while this was true, and while a number of administrators wanted a compact for juveniles, he did not feel that the Association should work on such a project unless the people in the juvenile field were actively interested and willing to get behind the project and push. He pointed out that the United States Children's Bureau did not appear to be enthusiastic. It was suggested that the Secretariat should consider checking with the American Law Institute to see if they had any interest in the project.

Out of State Visits

President Dates called for a discussion of Item VA of the Agenda relating to the granting of visitors permits to parolees and probationers without the prior consent of the state to be visited. It was noted that the use of temporary visiting permits is sometimes exceedingly important. Employers often hesitate to hire a man sight unseen, and, since many states will not agree to supervise an individual unless he is assured of employment before coming to the state, it is sometimes difficult to arrange for supervision without such an advance visit. However, instances were cited in which parolees, on the basis of such permits, moved across the state line, bringing with them their indigent families which then had to be serviced by the welfare department of the new state, and it was also pointed out that it was somewhat dangerous to permit a parolee or probationer to face the discouragements of jobhunting without some supervision. The consensus on this discussion appeared to be that the Association definitely should not ban out-of-state visits, but that Administrators granting such permits should take care that they have complied with the rules and requirements of the Interstate Compact.
Duration of Interstate Parole

The group then turned to a discussion of Section VI A of the Agenda relating to the duration of interstate parole. It was observed that the duration of parole varied from state to state. Mr. Chew of Virginia suggested that a state which had fairly short parole periods for its own cases should not be expected to supervise a parolee from another state for a period two or three times as long. His department feels that the parole period established by his state provides adequate time in which to rehabilitate an individual, and that, except in unusual circumstances, if the parolee has not adjusted to normal life by the expiration of that time, he is not likely to adjust at all. He stated that it seemed to be unreasonable to expect his state to spend time supervising an out of state parolee who would already be discharged if he were one of Virginia's parolees and who has already received as much help and supervision as Virginia feels is necessary for rehabilitation. On the other hand, by law, some administrators cannot agree to have their parolees discharged even if the receiving state reports that no further supervision is necessary. Parolees must serve the parole period fixed under the laws of their own State. It was reported, however, that some states with lengthy parole periods had solved this problem by agreeing that the parolee should report to the Administrator of the receiving state only once a year. Thus the parolee is still technically under supervision, and, since he has not received a letter releasing him from supervision, he cannot claim that the sending state has discharged him from parole. Thus he remains under the jurisdiction of the sending state and may be retaken at any time during his legal parole period, despite that fact that he is receiving only token supervision from the receiving state.

Waiver of extradition

President Bates then called for a discussion of item VII A of the agenda relating to the waiver of extradition. It was noted that when a parolee or probationer has already signed one waiver before coming to the receiving state, it is not necessary to obtain his signature on another waiver before he is retaken by the sending state. Some states have the parolee sign the waiver again if he is to be retaken, but this signature is not necessary, and the sending state has the right to retake him even if he refuses to sign.

A question was raised as to whether the waiver of extradition could be used for all parolees (the idea being that parole departments could have all parolees sign the waiver even if they were not going out of state, so that they would be retaken without difficulty if they fled to another jurisdiction.) The consensus appeared to be that such use of a waiver of extradition would be useful.

Rules, Regulations and Forms*

Having reviewed the opinions expressed by the Administrators in reply to the Secretariat's questionnaire on the revision of form IV, the Administrators formally voted that the following descriptions should be added to Parole Form IV and Probation Form IV and used henceforth:

- Race
- Build
- Complexion
- Color of hair and eyes
- Noticeable Deformities, Marks or Scars

* Amendments to the Parole Rules described in this section become final unless 15 status dissent within 30 days after the distribution of these minutes.
The group then discussed the suggestion that clauses requiring the furnishing of fingerprints and photographs be added to Section 2 of the Parole and Probation rules. Mr. Crihfield reported that well over 3/5 of the Administrators had approved of the addition of these requirements to the parole rules, but that the suggestion that they be added to the probation rules had met with less favor. "The major objection to this addition to the probation rules," he said, "is that many states will be unable to comply because of their decentralized probation systems." It was agreed that the rules should be so worded for probation that only states which are able to comply would be covered.

A discussion ensued of the requirement that a photostatic copy of fingerprints be provided. Some administrators expressed the view that a fingerprint classification would be adequate. Several others reported that, while they would not be able to furnish a photostatic copy of the fingerprints, they could furnish a classification. It was agreed that the classification should be accepted when the photostatic copy was not available.

The Administrators then voted that the following paragraph should be added to Section 2 of the Parole Rules and complied with henceforth:

Section 2a: "Whenever the receiving State accepts a parolee for supervision, the sending state shall send to the receiving state: (1) Two recent photographs of subject with descriptions as called for in form IV; (2) One photostatic copy of fingerprints of subject, if available, or if not available, the fingerprint classification."

The Administrators also voted that the following paragraph should be added to Section 2 of the Probation Rules:

Section 2a: "Whenever the receiving State accepts a probationer for supervision, the sending state shall, when available, send to the receiving state: (1) Two recent photographs of subject with descriptions as called for in form IV; (2) One photostatic copy of fingerprints or fingerprint classification of subject."

The group then discussed a suggestion that investigations, field reports and correspondence be submitted in triplicate. Mr. Crihfield reported that most administrators had reported that they would be able to do this in reply to the Secretariat's questionnaire. It was agreed that, when requested, all states should try to submit reports in triplicate, but that no ruling should be made which would force Administrators to do this without a specific request from another administrator.

The discussion turned to item VIII D on the agenda regarding material needed when a state is asked to investigate absconders from another state or when a request is made for supervision. President Hayes asked Mr. Harrison of Michigan, who had asked for the discussion, to take the floor, and Mr. Harrison stated that if his office received the information contained on the revised Form IV plus a photograph and fingerprints, this would be adequate.

Committee Reports

Having completed their discussion of Questions, Recommendations and Suggestions, the Administrators heard and approved 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 resolution:

I.

BE IT RESOLVED, that this Association extends thanks to Professor Mitchell Wendell, to whom we are indebted for the fine job of initial draftsmanship contained in the proposed drafts of the out-of-state incarceration and detainers agreements and for his consultation; and to Professor Frederick L. Zimmermann for his advice and assistance on Compact questions.

II.

BE IT RESOLVED, that this Association extend thanks to the Council of State Governments for its services as Secretariat of the Association of Administrators of the Interstate Compact, and in particular to Mr. E. E. Crihfield for his able and conscientious attention to the affairs of the Association.

III.

BE IT RESOLVED, that this Association express its thanks and appreciation to President Bates and the Association's officers for 1949-50 for their capable direction of the Association's business.

IV.

WHEREAS, the members of this Association believe that the present practice whereby inmates of Federal Institutions who have parole or probation violation warrants filed against them are required to serve one or more years, for this reason alone, and not because of their offense or behavior in the institution, is a practice which is unfair to inmates and is detrimental to the efforts toward rehabilitation;

NOW, THEREFORE, BE IT RESOLVED, that this Association, through its President, address a letter, with a copy of this resolution, to the chairman of the Federal Parole Board, expressing the hope of this Association that the Federal Board will work out some procedure whereby they may, in suitable instances, consider federal inmates for parole to detainers or for concurrent supervision with other jurisdictions, and informing the Federal Parole Board that if Federal legislation is needed to effect such change in practice, the members of this Association will extend all possible cooperation.

Signed: Harvey Long, Chairman
Francis Bridges
H. P. Fails
Donald W. Kunkler
Harry C. Dupree
REPORT OF THE AUDITING COMMITTEE

We, the undersigned auditors, have examined the accounts of the Honorable 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 a statement from the Capital City National Bank of Tallahassee, Florida, verifying the balance on hand to the credit of the Association as being $2,320.45 on June 30, 1950.

Signed: Russell G. Oswald, CHAIRMAN
        W. F. Hall
        Percival R. Roberts

AUDITORS
St. Louis, Missouri, October 8, 1950

CAPITAL CITY NATIONAL BANK
of Tallahassee
Tallahassee, Florida
October 8, 1950

Mr. Francis R. Bridges
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, 1950 was $2,320.45.

Sincerely yours,
(Sig. Fred N. Lowry)

FRED N. LOWRY
REPORT OF THE NOMINATING COMMITTEE

PRESIDENT: Walter A. Gordon of California
VICE PRESIDENT: Judge Henry Hunt of Connecticut
TREASURER: Francis R. Bridges, Jr., of Florida
SECRETARIAT: The Council of State Governments

MEMBERS OF THE COUNCIL:

Donald Bunker of Missouri, CHAIRMAN
Sanford Bates of New Jersey
Edward B. Everett of Georgia
Joseph Hagan of Rhode Island
Gordon Jaeck of Minnesota

EXECUTIVE COMMITTEE: (in addition to the officers)

W. P. Boll of Arkansas
H. P. Fails of Idaho
Gus Harrison of Michigan
Glenn R. Klopfenstein of Ohio
Richard T. Smith of New Hampshire

Signed: Charles P. Chew
F. Murray Benson
Robert G. Smith
Irma Walsh
H. M. Randall
1.

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

1950 ANNUAL REPORT OF THE SECRETARIAT

Your Secretariat, the Council of State Governments, once again wishes to express a deep sense of satisfaction for the opportunity of working with all of you in the administration of this wide-reaching interstate compact. In no small degree the parole and probation compact serves as a model to the several states when they look about for methods by which they can solve their common problems. For this compact group constantly provides a practical demonstration of the way in which the States can work together—legally and administratively—in a cooperative fashion. The continued effectiveness of this compact bears fruit in fields far apart from the strict area of crime control, important though that may be to us in this room. In only the past two years, there has been the greatest development of new interstate agreements that has ever been witnessed. The Northeastern states during that period fashioned and ratified, with the assistance of your Secretariat, a forest-fire protection compact. Some states in that group are now working on an agreement for common facilities for defective delinquents. In the western states similar agreements are in the making. In the south, an interstate pact for regional higher education is in operation and the western states are ready to do likewise. In the Missouri Valley studies for an interstate agreement to develop that river basin's water resources are moving forward. And at this very moment, groups of states in various regions are actively developing mutual aid agreements and compacts to make possible more effective civil defense programs.

Your Secretariat is gratified to witness the continuing trend toward adoption of the parole and probation compact by all the states. Since last year's annual meeting, Georgia has taken all steps necessary to participate fully in this cooperative effort, thus making a total of 46 States which have ratified the compact and passed the required enabling legislation. We hope full well to be celebrating a 48 state compact by the time we meet again next year, since both North Carolina and Texas will be holding regular legislative sessions in 1951.

I should like to report briefly to you on some of the major activities of the Secretariat during the past year, and to report also on the way in which directives to the Secretariat at last year's meeting have been carried out:

(1) You will recall that the newly revised Handbook on Interstate Crime Control, prepared at the request of this Association was hot off the press when we met last year. The Association made available to its members, through arrangements with the Council of State Governments, a moderate number of complimentary copies for each state. Moreover, an arrangement was also worked out whereby administrators could secure a substantial discount in securing extra copies of the Handbook for appropriate distribution. We are happy to report that a number of states took advantage of this to make distribution of the Handbook among persons who should be more familiar with the operation of the compact and related crime control measures. In addition, the Council of State Governments sent copies to all Governors, Attorneys General, Chief Court Justices and selected other key officials. You will also be glad to know that the Council's program of suggested state legislation for 1951 will carry a strong recommendation that all states enact the familiar four-point crime control program consisting of the fresh pursuit act, the Extradition Act, the Out-of-State Witnesses Act and the parole and probation compact,
2.

(2) During the past year the compact has faced the usual attacks upon its constitutionality and has come out in all cases with flying colors. We have reported these to you in the Newsletter, and it is only necessary to refer to them in passing. There have been favorable decisions in the courts of Connecticut, Illinois, New Hampshire, New Jersey, New York, and the Supreme Court of Washington. As we meet here, there is pending in Rhode Island a somewhat unusual attack upon the compact based on a line of reasoning that has not occurred before. It is claimed that since Rhode Island enacted the Uniform Extradition Act after it enacted the compact, the compact is no longer valid...because the Extradition Act contains a standard repealer clause covering all previous acts "inconsistent" with it. Our Memorandum on Interstate Crime and Delinquency Control of September 1 touches on this case so there is no need to go into detail here. Sufficient to say that it is our position that the compact provides an alternative to extradition and is not "inconsistent" with the Uniform Extradition Act but is instead part and parcel of the same integrated program of uniform laws on interstate crime control. It is also our position that Rhode Island did not intend to and cannot abrogate an interstate compact by this type of legislative action. We are watching this case closely and we are confident that the Compact will be upheld.

(3) You will recall the report of the Joint Committee on Detainers some two years ago, and the action taken to continue work in this field. The Secretariat arranged, serviced, staffed and provided consultants for a meeting held in New York City on August 8 and drafts of proposals coming out of that meeting are contained in your agenda as are the minutes of that meeting.

(4) By resolution, the Association last year directed the Secretariat to proceed with plans for the preparation of an Administrators Manual which would fill in the details—the chinks, so as to speak—not covered in the Handbook on Interstate Crime Control which was designed for general use. We are glad to report that most questionnaires have now been returned and that the Manual will be distributed to you shortly.

(5) Last year we mentioned, and the administrators seemed interested in the newly developed uniform support of dependents act which has now been enacted by thirteen states and two U.S. possessions. The Commissioners on Uniform State Laws have now completed a bill on this subject which has been approved by the drafting committee of the Council of State Governments and which will be recommended to any other states which wish to enact non-support legislation in the future. We can send copies of this bill to any of you who are interested.

(6) Action was taken last year directing the Secretariat to approach the Association of State Budget Officers representing to them the importance of providing money for the transportation of prisoners under the compact. Your Secretary brought this to the attention of the Executive Director of the Council of State Governments, who discussed the matter with the budget officers at their annual meeting in Boston earlier this year.

(7) The Secretariat, in accordance with motion duly passed last year, has investigated ways and means for bringing into the compact the District of Columbia and territories and possessions of the United States. Our legal consultants advise us that the District can become a member by simple action of the Congress to enact the uniform enabling act, since Congress is in effect the "legislature" for the
District of Columbia. We are further advised that the territorial legislatures probably have sufficient power to act on behalf of Alaska and Hawaii. Special Congressional action other than the uniform enabling act are considered to be necessary if the possessions are to participate. The Secretariat has been in touch with appropriate officials of the District of Columbia, and it would appear that the next step must come from them. We stand ready to assist in every way when the District is ready to move. We have also conferred with representatives of Puerto Rico, urging that they institute legal studies and take action to request Congress to approve the participation of Puerto Rico in the Compact.

(8) You have all received copies of the memorandum prepared by the Secretariat for presentation last month at regional parole and probation conferences in Fairlee, Vermont and Gearhart, Oregon. The Fairlee meeting was attended by your secretary, while the Gearhart meeting was attended by Mr. Stewart Wilson, Western Representative of the Council of State Governments. We hope that these presentations furthered the purposes of the compact.

(9) While they have not yet been acted upon, I think that you will be interested in these proposals for state legislative action that will be considered by the Drafting Committee of the Council of State Governments when preparing the program of suggested state legislation for 1951. These include recommended legislative action in the general field of crime control as follows: (1) gambling control through the revocation of licenses of public places which operate gambling devices including slot machines; (2) the handling of sex criminals; and (3) the uniform pchetel act, as carried some years ago in the program of the Interstate Commission on Crime.

***************

In closing, let me thank you for the assistance and cooperation rendered by the Association officers and members during the past year, as always. As all of you may know, the Council of State Governments works with many groups of state officials, and your secretary performs many and varied functions. None of these activities are more interesting or more worthwhile than the program and activities of the Association of Administrators of the Interstate Compact for the Supervision of Parolees and Probationers. Many thanks and best wishes for your continued success.

Respectfully submitted,

Everard E. Crihfield
Eastern Representative
Council of State Governments