Members in Attendance:
1. Mike McAlister  Chair, NH
2. Chris Norman  Vice-Chair, AL
3. Genie Powers  LA
4. John Rubitschun  MI
5. Karl Hines  DE
6. Mike Mayer  UT
7. Pam Bunke  MT
8. Pat Tuthill  Ex-Officio
9. Sally Holewa  Ex-Officio
10. Victoria Jakes  Ex-Officio

Guests:
1. Kevin Dunphy  RI

Members Not in Attendance:
1. Jane Seigel  IN
2. Cathy Gibson-Beltz  NE
3. A. T. Wall  RI

Staff:
1. Harry Hageman
2. Sam Razor
3. Rick Masters  Legal Counsel
4. Barno Saturday
5. Xavier Donnelly
6. Mindy Spring

Call to Order
Chair M. McAlister called the meeting to order at 2:07 p.m. ET.

Roll Call
Executive Director H. Hageman called the roll. Seven out of ten voting members were present; quorum was established.

**Agenda**
Agenda was approved by acclamation.

**Minutes**
Commissioner G. Powers (LA) moved to approve the minutes from December 19, 2012. Commissioner J. Rubitschun (MI) seconded. Minutes approved as drafted.

**Old Business**

*PA Complaint:* Executive Director H. Hageman informed the Committee that Pennsylvania withdrawn its complaint against Georgia.

**New Business**

*WA Complaint:* The Committee reviewed the summary of ICOTS file on offender Jeremy Fitzhugh ICOTS No 477787:

- Offender Jeremy Fitzhugh transferred from Kansas to Washington on 10/19/2012.
- On 12/11/2012 Washington sent a violation report to Kansas advising the offender was in custody on a charge of domestic violence and requested that the offender be returned to Kansas.
- On 12/17/2012 Kansas replied to the violation report advising Washington to let them know when there is a conviction and requested that Washington continue supervision.
- On 01/10/2013, Washington reports that the offender has been convicted of a misdemeanor assault and Washington requests that the offender be returned to Kansas.
- On 01/31/2013 Kansas issues a bench warrant limited to service in Kansas.
- On 02/04/2013 the offender is arrested in Washington.
- On 02/05/2013 Washington receives a Kansas bench warrant, but it is limited to Kansas. Washington requests a nationwide warrant.
- On 02/14/2013 Kansas advises Washington that the County Attorney is closing supervision and will not retake offender unless convicted of a felony.
- 02/20/2013 Kansas advises Washington to close supervision.
- Case closed on 02/26/2013.

S. Holewa (ND) suggested referring the prosecutor to KS lawyer disciplinary system, if he was notified that his actions were likely in violation of Interstate Compact and he took them anyway.
Then the Disciplinary Committee will determine if the judge ruled knowing that it was in violation and possibly take disciplinary actions against the judge.

The Committee discussed whether Kansas is in non-compliance for failure to re-take (rule violation).

The Committee discussed Rule 5.103-2 and its connection to the complaint.

**Commissioner C. Norman (AL) moved to investigate this matter further to find out if KS Compact Office did everything they could do to get the offender retaken prior to termination of the case. Commissioner M. Mayer (UT) seconded. Motion passed unanimously.**

Legal Counsel R. Masters suggested appointing a retired commissioner to investigate this case.

The Committee discussed Kansas’ failure to issue a nationwide warrant.

**Commissioner K. Hines (DE) moved to hold Kansas in default for not issuing a nationwide warrant with final recommendation to be deferred to the Executive Committee pending the results of the investigation. Commissioner G. Powers (LA) seconded. Motion passed unanimously.**

The Committee discussed issues around retaking.

Legal Counsel R. Masters stated that the Rules Committee discussed the retaking issue and looking for a middle ground with regard to some of these violent crime issues where states got an automatic retaking that has to occur if requested for certain type of offences, while in some cases if the person is ultimately a resident of the receiving state, then the receiving state is the place where they will receive the help they need or the punishment they deserve.

The Committee had discussion on this issue.

The Committee delegated Chair M. McAlister to communicate the issue to the Executive Committee.

**Adjourn**

**Commissioner P. Bunke (MT) moved to adjourn. Commissioner J. Rubitschun (MI) seconded. The motion passed.** The meeting adjourned at 2:36 pm ET.