INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

COMPLIANCE COMMITTEE
Lexington, Kentucky

Monday, December 13, 2004
8:00 a.m. (EST)

Committee Members in Attendance:

1. Warren Emmer (ND)
2. Leo Lucey (UT)
3. Wayne Theriault (ME)
4. Bill Rankin (WI)
5. Robert Oakes (MS)
6. Sharon Jackson (CA)

Committee Members not in Attendance:

1. Judith Sachwald (MD)
2. Dave Nelson (ID)
3. Mike Ferriter (MT)

Guest

1. Genie Powers (LA)

Staff:

1. Don Blackburn
2. Mindy Spring

- Compliance Committee Chair, W. Emmer called the meeting to order at 8:30 a.m. EST. 6 members were present establishing a quorum.
• Compliance Committee Chair W. Emmer reviewed the agenda. Items on the agenda included:
  o Discussion and revision of the Compliance Committee’s strategic plan
  o Prepare annual report
  o Review top five potential compliance problems and list interventions
  o Review ICAOS rules and by-laws. Suggest changes to Rules Committee
  o Review current compliance issues

• Compliance Committee Chair W. Emmer stated that the Compliance Committee must develop goals and strategies and also needs to define the expectations of Committee.

• Commissioner B. Rankin stated that the Rules of the Compact do not give authority to the Compliance Committee.

• The Compliance Committee reviewed the “Common Compliance Issues” survey based on responses to the Annual Survey of State of the States’ Compliance. The survey considers seriousness and frequency of the issues.

• The Committee decided to focuses on five compliance issues for 2005. These issues are:
  - Sending State-Allows offenders to reside in your state without your knowledge or permission
  - Sending State-Fails to send transfer packet after offender has been given reporting instructions
  - Sending State-Fails to retake offender or issue warrant when required by rule
  - Receiving State-Fails to respond, or untimely response to your request for reporting instructions
  - Receiving State-Fails to respond, or untimely response to transfer request

• The Committee discussed areas of strategy for handling issues:
  - Training
    • Regional Meetings
    • Training Committee
    • Resources/Aids
    • Commissioners
    • Obligations of practitioners, commissioners, deputy compact administrators, and compact administrators
  - Measurement of issues
    • Reports of complaints
    • Surveys
• The Committee discussed training as a serious compliance issue. Executive Director D. Blackburn suggested that Commissioners need to be trained and to take roles more seriously.

• Compliance Committee Chair W. Emmer requested that Executive Director D. Blackburn provide a list of non-responsive Commissioners.

• Compliance Committee Chair W. Emmer also wants the committee to recommend Commissioner training to Training Committee.

• Commissioner W. Theriault suggested that regional meetings could personalize Commissioner relationships.

• The Compliance Committee discussed and suggested revisions to the “Compliance Committee Overall Goal Statement and Related Strategies”

• Compliance Committee Chair W. Emmer asked Commissioner L. Lucey and Commissioner S. Jackson to incorporate the “identity of issues” into the Committee’s goals and strategies. The Commissioners developed a new statement for the Compliance overview section of the document.

• The Compliance Committee developed new language for the document and prepared a draft for the annual report.

• Executive Director D. Blackburn gave the Committee an update on the Pennsylvania litigation.

• The Compliance Committee discussed various compliance/supervision issues in various states.

• The Compliance Committee discussed attorney- Capped vs Full-time. Executive Director D. Blackburn stated that the Commission needs attorneys for legal opinions and litigation. Executive Director D. Blackburn also stated that the Commission can not afford a law suit this year.

• Commissioner S. Jackson suggested that the US Attorney General contact Massachusetts about joining the compact because of security issue. Executive
Director D. Blackburn suggested it is better to keep this issue on a state level, and the key to the compact is through the governors’ offices.

- Executive Director D. Blackburn stated that the Commission has not yet defined the role of state council of states. Executive Director D. Blackburn suggests that the Commission write a bylaw of “who has authority over the state council.”

- Executive Director D. Blackburn updated the Compliance Committee on the Tennessee litigation.

- Compliance Committee Chair W. Emmer explains revisions of the “Compliance Committee Overall Goal Statement and Related Strategies” to Executive Director D. Blackburn. Compliance Committee Chair W. Emmer asks Executive Director D. Blackburn to carefully look at strategy #3.

- The meeting was adjourned at 4:30 p.m. EST by Compliance Committee Chair W. Emmer.