INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
EAST REGION MEETING MINUTES

April 24, 2013
2 pm ET
WebEx

Members in Attendance:
1. Scott McCaffery  Chair, ME
2. Karl Hines  DE
3. Mike McAlister  NH
4. James Plousis  NJ
5. Andrea Evans  NY
6. Michael Potteiger  PA
7. Raquel Colon  PR
8. Dale Crook  VT

Members not in Attendance:
1. [Vacant]  CT
2. Josh Wall  MA
3. A. T. Wall  RI
4. Warrington Chapman  VI

Guests:
1. Paul Hartford  MA
2. Matthew Charton  NY
3. Carlo Pini  DE
4. Laura Queenan  RI
5. John Gusz  NJ
6. Natalie Latulippe  CT
7. Jeanne Stewart  NH

Staff
1. Sam Razor
2. Kevin Terry
3. Barno Saturday

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Approved on 8/27/2013. B.S.
4. Xavier

Call to Order

Commissioner S. McCaffery (ME) called the meeting to order at 2:02 pm EDT. Eight out of twelve voting members were present, quorum was established.

Agenda

Commissioner J. Plousis (NJ) moved to approve the agenda as written. Commissioner K. Hines (DE) seconded. Agenda approved.

Minutes

Commissioner J. Plousis (NJ) moved to approve the minutes from Jan 14, 2013. Commissioner M. Potteiger (PA) seconded. Minutes approved as written.

Discussion

Commissioner A. Evans (NY) presented an amendment to Rule 3.101-1.

Commissioner M. McAlister (NH) moved to forward the amendment to Rule 3.101-1 to the Rules Committee as presented. Commissioner D. Crook (VT) seconded.

Rule 3.101-1 Mandatory Transfers of Military, Families of Military, Family Members Employed, and Employment Transfer.

(a) Transfers of military members—An offender who is a member of the military and has been deployed by the military to another state, or has been discharged by the military while under supervision for the instant offense, shall be eligible for reporting instructions and transfer of supervision. The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.

(b) Transfer of offenders who live with family who are members of the military—An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and (e)(2) and who lives with a family member who has been deployed to another state, or has been discharged by the military while the offender is under supervision for the instant offense, shall be eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state. The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.

Commissioner M. McAlister (NH) amended the motion as follows: forward the amendment to Rule 3.101-1 to the Rules Committee; acknowledging that military members that are sex-offenders will remain subject to all restrictions that currently placed on sex offenders.
Commissioner D. Crook (VT) agreed with the amendment.

Motion passed unanimously.

Assistant Director S. Razor informed the Region that the deadline to submit new rule proposals was January 31, 2013.

Commissioner A. Evans (NY) stated that the rule proposal needs to be voted at the upcoming Annual Business Meeting in Boston, MA.

The rule proposal will be forwarded to the Rules Committee chair to determine whether or not it will be discussed at the upcoming Annual Business Meeting.

Commissioner A. Evans (NY) suggested the East Region codify the audit practice of all a ten-day grace period regarding to case closure and progress reports into rule.

No motion was made to move the amendment forward.

Commissioner M. Potteiger (PA) spoke on behalf of the Rules Committee that recommends withdrawing the amendment to Rule 4.102 submitted by the East Region.

2013-EAST-4.102

Proposal to create/amend rules:
Rule 4.102 Duration of supervision in the receiving state

(a) A receiving state shall supervise an offender transferred under the interstate compact for a length of time determined by the sending state.

(b) This shall not apply to extensions of supervision for strictly monitoring of costs, fines, and restitution.

Justification:

Offenders subject to conditions and regulations that are monetary only are not subject to transfer through the compact. If the only reason an offender is extended beyond the original maximum expiration date is to continue to make payments, the offender would no longer meet the definition of supervision.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

[Note whether the proposal conflicts with any other rules, advisory opinions or dispute resolutions.]

ICOTS impact:

[Note whether the proposal can be implemented without modification to ICOTS.]
Rules Committee action:

[Prior to posting, the Rules Committee provides discussion points and recommendation for or against adoption]

Effective date:
[Date the proposal should be effective, e.g. March 1, 2014.]

Commissioner K. Hines (DE) moved to withdraw the East Region amendment to Rule 4.102. Commissioner M. McAlister (NH) seconded. Motion passed unanimously.

DCA Liaison Committee Appointment

Commissioner S. McCaffery (ME) stated that the DCA Liaison Committee is looking for an East representative. Current representative J. Gusz (NJ) is planning to step down in the near future.

States Update

Delaware has a new commissioner of Department of Corrections.

New Jersey is working with veterans on job placement in Corrections.

New York: Brian Fisher, Commissioner of Department of Corrections, is retiring in the upcoming months.

New Business

Commissioner J. Plousis (NJ) stated that Executive Director H. Hageman’s training at the National Sheriff Association Conference this June will be very valuable.

Adjourn

Meeting adjourned at 2:26 pm EDT.