INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

EAST REGION
WEB CONFERENCE MEETING

June 15, 2006
10:30 am EST

Members In Attendance

1. Michael DePietro and Sandra Layton (NY)
2. Ben Martinez (PA) Colleen Fickel and Kay Longenburger
3. Kevin Dunphy (RI)
4. Jacqueline Kotkin (VT)
5. Donald LaFratta Richard Vernick (MA)
6. Charmaine P. Daley-Jeffers (VI)
7. Wayne Theriault (ME)
8. Theresa Lantz and Pam Mason (CT)
9. A.T. Wall (RI)

Guests

1. Al Kerrigan (DE)
2. Michael McAlister (NH)
4. Craig Shindewolf (NJ)
5. Pam Mason (MA)
6. Jeanne Stewart
7. Carmen Ayala (PR)

Staff

1. Ashley Kenoyer
2. Mindy Spring
3. Kelli Price
4. Whitney Hall
5. Kevin Terry
6. Xavier Donnelly

Roll Call  Michael DePietro
The meeting was called to order by M. DePietro at 10:30 am EST. A roll call was taken establishing 3 Commissioners out of 12. A quorum was not established.

**Opening Comments**  
*Michael DePietro*

- W. Theriault moved and seconded by J. Kotkin to approve the minutes from February 2006 meeting.
- Motion passed.

**National Office Update**  
*A. Kenoyer*

- NACIS Update
  - UAT is scheduled to last 3-4 weeks in three phases:
    - Development Group
    - Master Trainers
    - JAD Group
  - Legacy and Integration Documents will be released after the UAT and IJIS Review are complete.
  - IJIS Review final report will be submitted by July 21, 2006
  - Eight Master Trainers have been chosen and letters have been sent to these persons.
  - Implementation Planning/Training
    - Including training manuals, On-Demand training, and WebEx training

- Recently hired Kevin Terry as the new MIS Project Manager.
- D. Blackburn recently traveled to Utah to do PO and State Council Trainings.
- WebEx
  - On-Demand Module: *Presentation Studio*
    - Ch. 3 is now on the website and we are working on chapters 4 & 5.
- Don Blackburn recently traveled to Washington DC to meet with Matt Rowland from Federal Probation
- D. Blackburn also did presentations at the Summit of the States Conference and the National Law Enforcement and Corrections Technology Center.
- The National Office is encouraging all commissioners and DCAs to attend the Commissioner’s and DCA’s Training at the Annual Business Meeting.
- Awards nominations have gone out and the National Office is encouraging people to submit nominations for these awards.
- The National Office has recently posted Dispute Resolution 2-2006 HI v. NV and Advisory Opinion 6-2006 Massachusetts on the website.
- W. Theriault asked if the National Office could add the NACIS update to the website for state IT offices to review.
- A. Kenoyer answered by saying that any commissioner on the meeting can save the PowerPoint document from WebEx to his or her computer.
New Business

• M. DePietro discussed the election of officers. If any commissioner is interested in any position please contact M. DePietro so that the Region Chairs do not have to seek out candidates.
• B. Martinez asked if any one has come forward yet seeking a position.
• M. DePietro advised that no one from the East Region has come forward yet with interest in running for a position.
• M. DePietro announced that he appreciates the commissioners who are present at this meeting. He stated that he feels there will be increased involvement of commissioners in the future.
• M. DePietro stated that the next East Region Meeting will be 10:00 AM Tuesday October 3, 2006 at the Annual Business Meeting in Phoenix, AZ.
• M. DePietro said that he would like to give the opportunity for all states to voice comments on the Rules Changes:
  o Delaware- None
  o Virgin Islands- None
  o Maine- None
  o New Hampshire (M. McAllister)- concern about proposal on expanding 2.105. This would heavily increase the flow of transfers
  o Massachusetts (B. Martinez)- says this ignores all due process rights and basic fairness. He stated that the Commission cannot rely on original charges.
  o Vermont (J. Kotkin)- concurs with MA
  o Puerto Rico (C. Daley-Jeffers) - Transfer requests can be sent to PR now.
    ▪ Concerns regarding Rule 2.105, and which misdemeanors will be included under the compact.
    ▪ Rule 5.101-1: They feel that this cannot be an arbitrary decision of the receiving state.
    ▪ Rule 1.101 “warrant” PR thinks that “document” should be more specific, such as “legal document.”
  o Rhode Island (A.T. Wall)- currently not proposing any language change, but have a question about 5.108: Would this be a requirement of the receiving state if the sending state so wishes it?
  o K. Dunphy asked if any Probation Officer can conduct a Probable Cause Hearing on a Probationer without it being a conflict of interest.
  o Discussion continued on Probable Cause Hearings.
  o J. Kotkin voiced concerns with the definition of relocate: Is it 45 consecutive days?
  o M. DePietro asserted that the only thing that is being suggested by the Rules Committee is the change from 90 days to 45 days, not adding cumulative or consecutive.
  o M. DePietro said that NY would like for it to be cumulative because their concern is public safety.
  o J. Kotkin stated that we need to consider the legitimate needs of a person to make a living.
C. Fickel remarked that “relocate” is only referred to twice in the Rules. She questioned why the Commission continually tries to define things in its own realm without looking at a black law dictionary.

M. DePietro stated that the Rules Committee has considered not having this definition.

M. DePietro asked C. Fickel to make her comments on the website.

Connecticut (T. Lantz):
- 2.105: T. Lantz stated that would have an impact on staffing and this needs to be considered.

Connecticut (P. Mason)
- M. DePietro asked for her to make this comment on the website.
- She stated that she thinks there should be separate rules for Sex Offenders.

C. Shindewolf (NJ)
- C. Shindewolf stated that it is up to the states to decide how they are going to supervise their offenders.

Pennsylvania (C. Fickel)
- C. Fickel stated that the warrant definition isn’t really taking every situation into consideration. They are not only issued by a sending state and not only issued for the purpose of retaking.
- Asked M. DePietro to comment on section (b) of Rule 4.111
- M. DePietro stated that Rule 5.106 is the root issue here is the non-timely reply to Violation Reports. He stated that we wouldn’t need this rule if officers would respond in a timely manner.

New York (M. DePietro)
- M. DePietro stated that in Rule 3.101 they did not like the word “visible” being removed from the rule.
- The Region also discussed Probable Cause hearings.

Massachusetts (D. LaFratta)
- D. LaFratta asked if without limitation as to specific geographic area, would wording suggest that all states are obligated to send home an offender if he is in a third part state?
- M. DePietro respond that this is a “warrant” issue.

M. DePietro opened the floor to anyone with any extra comments
K. Dunphy asked if he should submit comments to the website or if the commissioner should do that.
M. DePietro stated that he was welcome to comment as well.

Adjourn

B. Martinez moved and T. Lantz seconded the motion to adjourn.
Motion passed.
The next meeting will be scheduled for some time in May. The meeting adjourned at 11:29 am.