INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

EXECUTIVE COMMITTEE
TELECONFERENCE MEETING

Tuesday, February 08, 2005
12:00 p.m. (EST)

1-888-387-8686  Room # 7389593

Committee Members in Attendance:

1. David Guntharp (AR)
2. Joe Kuebler (GA)
3. Milt Gilliam (OK)
4. Ann Hyde (SC)
5. Ben Martinez (PA)
6. Dori Ege (AZ)
7. Warren Emmer (ND)
8. Harry Hageman (OH)
9. Ed Ligtenberg (SD)
10. Pat Tuthill (ex-officio)

Committee Members Not in Attendance:

1. Genie Powers (LA)

Staff

1. Don Blackburn
2. Ashley Kenoyer
3. Kelli Price
4. Sheila Perry
5. Mindy Spring
6. Tad Bowman
7. Rick Masters
• D. Guntharp, Chair, called the meeting to order at 12:00 p.m. EST. 9 members were present, establishing a quorum.

• A motion for approval of the agenda and the January 11, 2005 minutes was made by W. Emmer and seconded by E. Ligtenberg. Approved unanimously.

Rules

• M. Gilliam gave a summary of the Rules Committee meeting scheduled for March 8-9th in Lexington, Kentucky.
• R. Stroker from NIC will be attending to work through a process for drafting and implementation of rules. D. Guntharp stated that George Keiser confirmed that NIC would be paying R. Stroker to facilitate the meeting.
• The afternoon of March 9th and on the 10th the drafting of rules changes will begin for the new database.
• M. Gilliam announced that the Rules Committee wants to schedule a follow up meeting in late May/early June to prepare for the Annual Meeting. This meeting is for additional drafting to the rules before the Annual meeting. The money needed for the meeting is not in the current year’s budget because the Annual meeting is scheduled for September, which is earlier than previous years.
• D. Blackburn noted that the meeting is also necessary for the rule changes that need to be addressed before the database is implemented.
• D. Guntharp asks for a motion to approve the additional money for the Rules Committee meeting in March and late May/early June. Motion made by D. Ege, seconded by A. Hyde. Motion unanimously passed.
• M. Gilliam announced that there will be a Rules Committee teleconference, February 25 to prepare the Committee for the meeting in March.

Training

• A. Hyde announced that Mike Buenger has finished the draft of the judicial benchbook. Issues addressed were the estimated costs for printing, distribution, and dissemination. D. Blackburn stated that the NCSC would be a good resource to use for dissemination.
• A. Hyde announced there is a “Train the Trainer” tentatively scheduled for June. Puerto Rico has expressed they will participate and are willing to travel to Lexington. The training will be available to other states, and the Training Committee is anticipating 12 participants for 1 ½ day training session.

Compliance

• W. Emmer stated that he had a meeting with D. Blackburn and Rhonda Larson, Washington state legal counsel, in regards to the misdemeanor rule 2.105.
• The Compliance Committee is helping Washington with a survey to find out a count of misdemeanors that need supervision in the state and the count of misdemeanor offenders that Washington anticipates transferring.
• D. Blackburn stated that he spoke with Anne Fealla and Washington is agreeing to comply with Rule 2.105.
• D. Blackburn stated that Oregon’s bill failed regarding Rule 2.105
• D. Blackburn noted that he received an email from a county probation office in Washington asking if the Compact impacted their jurisdiction. This brought about discussion that probation and parole offices are not being properly informed about the Compact. State Councils need to be more operative.

• Tennessee Litigation-R. Masters stated that Tennessee has filed a response and is not contesting the requirements of Rule 3.101 (a) but is arguing that Rule 4.103 (special conditions) authorizes Tennessee to impose special conditions before an offender is allowed to transfer. R. Masters stated that the Commission has filed a motion for a preliminary injunction for Tennessee to accept offenders that are required. The Commission is waiting for Tennessee to file a brief before the injunction hearing.

Technology
• J. Kuebler announced that the National Office has hired additional staff Tad Bowman for database support. S. Perry has been promoted to project manager for NACIS. The National Office will be hiring one more employee for NACIS help desk in June.
• The Commission needs to budget for equipment needs for the National Office for implementation. D. Blackburn will present to the Executive Committee for the April meeting.
• D. Blackburn announced that the national Web-conference in January had a good turn-out with 86% of states participating.
• The Commission is still waiting on timelines from SoftScape for training and implementation.
• J. Kuebler announced there will be a Technology Committee meeting tentatively schedule after the Train-the-trainer for NACIS in May.
• Implementation date for NACIS is July 1, 2005.
• J. Kuebler stated that H. Hageman has been calling each state for find out which states should be implementing the database first and will be reporting back. Currently H. Hageman has contacted approx 25 states and has implementation concerns with 2.
• D. Guntharp began discussion on the concern with Massachusetts and the Virgin Islands using and accessing the database without being a member of the Compact. The Commission needs to address the financial aspects of use and R. Masters stated that there is an issue with monitoring the confidentiality rules of the Compact through the database. R. Masters stated that the Commission will be unable to enforce sanctions against non-member states. D. Guntharp suggested
that there needs to be a motion to address these issues. B. Martinez stated that he will speak with Don LaFratta about the concerns and the status on Massachusetts joining the Compact.

**Finance**

- D. Blackburn stated that the Commission is in good shape with dues collection. New York has not paid yet because of the timeline of their fiscal year.
- D. Blackburn stated that to date $90,000 has been paid out for legal fees for the Pennsylvania litigation and $17,000 for the Tennessee litigation. This leaves only $11,000 left in the budget for legal services.
- D. Blackburn announced that the estimated cost for the Executive meeting in April is $12,000.
- **Budget:**
  - The Compliance Committee budget needs to be increased to $7,100.
  - The Rules Committee budget needs to be increased to $49,000
  - Technology Committee needs to be increased to $109,000 to cover costs for the JAD sessions and training for NACIS. Training will need $32,000 in that budget.
  - The money will be adjusted from the $256,391 surplus from the Commission’s budget that is incurred from deferring the payment to SoftScape until the next fiscal year.
- D. Blackburn reported per attached schedule. Report received by Committee without comment.
- D. Blackburn suggested that the Commission should develop a system for increasing dues to support the National Office. The Finance Committee needs to address future financial obligations of the Commission.

**Executive Committee**

- D. Guntharp announced the Executive Committee meeting scheduled for April 4-6th, 2005 at the National Office.

**East Region**

- B. Martinez reported that he has had response from many states regarding the new rules.
- B. Martinez stated that he will be reaching out to Don LaFratta regarding Massachusetts joining the Compact and will report back to D. Blackburn and D. Guntharp. It was discussed that it would be more effective for B. Martinez to reach out to Massachusetts governor.

**South Region**
• J. Kuebler reported that the South region had a teleconference in January and will be recommending that the Commission eliminate two forms for transfers. The Rules Committee will be addressing this issue.

Midwest Region

• E. Ligtenberg stated that the Mid-West Region teleconference in January was successful.

West Region

• D. Ege reported that the West Region states are going to recommend rule changes to the Rules Committee because there have been issues on interpretation.
• The West Region is scheduling meetings every 60 days. The next scheduled meeting is for March 28th.

Victim’s Rep Report

• Ex-Officio P. Tuthill announced that there was information posted on the website regarding National Crime Victims Rights in January. P. Tuthill requests that this be reposted by the National Office in March.
• P. Tuthill stated that she will be attending the APPA conference in Anaheim and is preparing information for database support.
• P. Tuthill stated that she is seeking support from other victims’ organizations for funding of NACIS.

Executive Director’s Report

• D. Blackburn stated that the Annual Report is waiting on the audit and the National Office received sponsorship for printing costs.
• D. Blackburn stated that the National Office will be working with Training Committee Chair, A. Hyde, to work on a New Commissioner’s Handbook.
• D. Blackburn announced that M. Spring and A. Kenoyer attended a grant writing class.
• D. Blackburn requested that East Region Chair B. Martinez reach out to Pennsylvania’s State Council to send a letter to Senator Spector for support for NACIS. Ex-Officio P. Tuthill stated she will send a letter to Spector on behalf of Victim’s groups.
• D. Blackburn announced the National Office’s new employee, Tad Bowman.
• D. Blackburn stated that S. Perry is developing a plan for NACIS implementation and support.
• D. Blackburn stated that the faculty outline has been revised.
• D. Blackburn announced that the Minnesota dispute with Arizona has not been responded to by Arizona. The Executive Director will be issuing a letter to Arizona.
• D. Blackburn announced that the Nebraska dispute with Washington has been resolved after speaking with Anne Fealla.
• D. Blackburn stated that there has not been a response from Judith Sachwald regarding an opinion requested by a judge in Maryland. R. Master stated that the issue is being resolved internally in the said state.
• D. Blackburn will be conducting workshops at APAI, APPA, and AJCA conferences in the next few months.

New Business

• Annual Report will be out in 2-3 weeks. D. Guntharp suggested that the Commission needs a distribution letter and hold Commissioners accountable for distribution of the Annual Report.

Adjourn

Motion to adjourn made by J. Kuebler, seconded by D. Ege. Meeting adjourned at 1:04 p.m. EST