INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
MIDWEST REGION MEETING MINUTES
August 12, 2009
2:00 p.m. (EDT) / 1:00 p.m. (CDT)
WebEx Conference

Members in Attendance:
1. Linda Janes Chair, OH
2. Michelle Buscher IL
3. Charles Lauterbach IA
4. Keven Pellant KS
5. Ellen Brokofsky NE
6. Ken Merz MN
7. Ed Ligtenberg SD
8. William Rankin WI

Members not in Attendance
1. Warren Emmer ND
2. Jane Seigel IN
3. John Rubitschun MI

Guests
1. Art Hegewald
2. Robert Champion
3. Kari Rumbaugh
4. Don Matson
5. Dionne Addison
6. Jenny Bauer
7. Darin Cobb
8. Rich Ludolph
9. Mary Keyes
10. Chuck Placek
11. Sally Reinhardt-Stewart

Staff
1. Harry Hageman
2. Ashley Hassan
3. Sam Razor
4. Mindy Spring
5. Xavier Donnelly
6. Barno Saturday
7. Kevin Terry

Call to Order
Commissioner L. Janes called the meeting to order at 2:00 p.m. EDT. Eight out of 11 members were present. Quorum was established.

Agenda
Commissioner L. Janes suggested amending the agenda by removing Executive Committee update and States Update items. Commissioner K. Merz made a motion to approve the agenda as amended. Commissioner E. Ligtenberg seconded. The agenda was approved as amended.

Minutes
Commissioner E. Ligtenberg made a motion to approve the minutes from June 10, 2009. Commissioner K. Merz seconded. The minutes were approved.

Discussion
Rule Amendments: The Region discussed the proposed rule amendments and comments posted on the Commission’s website.

Rule 1.101 – Definitions, Business Day. The Rules Committee proposed adopting the definition of business day to avoid compliance problems in the future.

Commissioner K. Merz informed the Region that the Minnesota State Council suggested adding furlough day to the rule amendment.

Commissioner E. Ligtenberg was not in favor of adding furlough day to the proposed language.

Rule 1.101- Definitions, Supervision. Commissioner W. Rankin mentioned that the intent of the amendment was to eliminate confusion and inconsistencies among states in applying compact rules.

Rule 2.104- Forms. The Region agreed with the proposed amendment.

Rules 2.106-Offender Subject to deferred sentences. The Region agreed with the proposed amendment.

Rule 2.110 Transfer of offenders under this compact. The Region discussed situations when a state is aware of an offender being present in another state and choosing to take no actions. The Region disagreed over the offender becoming subject to the Compact. The Rules Committee will review this situation.
Rule 3.101 Mandatory transfer of supervision. The Region did not support the proposed rule amendment due to its unclear language. Commissioner W. Rankin will contact the West Region to clarify the intent of the proposed language.

Rule 3.101-1 Mandatory transfer of military, families of military, family members employed, and employment transfer. The Region was in favor of Commissioner C. Lauterbach’s suggestion to add the following language to the amendment...for the purpose of maintaining employment in lieu of lay off ....

DCA K. Rumbaugh suggested replacing lay off with a different word and adding a request for appropriate documentation from employer.

Rule 3.101-3 (c) Reporting instructions for sex offenders living in the receiving state at the time of sentencing. Commissioner W. Rankin clarified that this amendment did not change the definition of Sex Offender.

Minnesota’s State Council was concerned that the language of the proposal was not clear. Commissioner K. Merz suggested replacing who have been placed on probation to who are being placed on probation.

The Region concluded that the rule language was problematic and unclear as to what it is addressing. The Rules Committee will consider the Region’s comments.

Rule 3.102 Submission of transfer request to a receiving state. The Region supported the proposed rule amendment.

Rule 3.104 Time allowed for investigation by receiving state. The Region supported the proposed rule amendment.

Rule 3.104-1 Acceptance of offender; issuance of reporting instructions. Commissioner W. Rankin stated that the purpose of the proposal is to make the rule language consistent and grammatically correct.

The Region decided that Commissioner L. Janes would send an official request to the Technology Committee recommending creating an action item in ICOTS on Rule 3.104.

Rule 3.107 Transfer request. The Region had no comments on the proposed rule amendment.

Rule 4.105 Arrival and Departure notifications, withdrawal of reporting instructions. The Region had no comments on the proposed rule amendment.

Rule 4.106 Progress reports. The Region agreed with the proposed rule amendment.

Adjourn
Commissioner K. Pellant (KS) made a motion to adjourn. Commissioner W. Rankin (WI) seconded. The meeting adjourned at 3:56 pm EDT.