Minutes

Friday, January 23, 2004
12:00 P.M. (EST)

1-888-387-8686, Room 7389593

Members in attendance
Kathie Winckler, TX
Milt Gilliam, OK
Paul Quander, DC
A.T. Wall, RI
Ed Mruczek, NY
Tina Hayes, FL
Doreen Geiger, WA
Jim Cosby, TN
Gerald VandeWalle, ND
John D’Amico, NJ
Harry Hageman, OH
Pat Tuthill, FL
Ben Martinez, PA
Henry Lowery, WV

Staff in attendance
Don Blackburn
Diane Kincaid

I. Call to order and roll call
   • The meeting was called to order at 12:05 p.m. EST, the roll was called and a quorum was established.

II. Approval of minutes
   • Minutes from the meeting held October 24, 2003 were brought for discussion and approval. Gilliam brought motion to approve, seconded by Geiger. There was no further discussion, a vote was taken and all approved the motion. Minutes from the December 19, 2003 were brought for discussion and approval. Motion to approve the minutes was brought by Gilliam and seconded by Quander. There was a unanimous vote to approve the minutes and the motion passed.

III. Staff update
   • There was no staff update.

III. Chair update
   • Justice VandeWalle asked to make comments regarding his attendance at a meeting of state Chief Justices. He noted that the attendees did not have many questions regarding the new rules of the Compact, but that he does expect questions to arise as the rules are implemented in August, 2004. He also noted that many states have not yet appointed State Councils for the Compact.
   • Winckler asked if all members of the committee had a current roster. She stated that she would forward a list of members to everyone.
   • The issue of misdemeanors was discussed and Winckler noted that the ad hoc Misdemeanor Committee had completed its work and had sent a report with its recommendations to the Executive Committee.
   • Mruczek asked if the issue would be decided prior to training sessions to be held this March. Blackburn answered that the committee had worked with those dates in mind and had made efforts to compete work in time for the trainings. Blackburn also noted that this issue would be discussed at the Executive Committee meeting to be held on Tuesday, January 27.
Winckler asked Geiger to briefly summarize the work of the Misdemeanor Committee for this group which she did.
Winckler stated that she would send an email regarding the results of the Executive Committee meeting to all members of the Rules Committee.

IV. Old business

- Assignments to subcommittees made as follows:
  1. Create exception for person whose family is member of the military and is transferred: Wall, D’Amico
  2. Create exception for person whose family member has a job transfer: Wall, D’Amico
  3. Create exception for college student: Wall, D’Amico
  4. Create rules for states in which offenders travel across borders regularly, e.g., to work, school, medical appointments: Geiger, Hayes.
  5. Authorize supervising authority to issue warrant or detainer: Cosby, Gilliam.
  6. Establish that the existence of a non-extraditable warrant in the receiving state at the time of transfer does not constitute a basis for rejection of an offender: Cosby, Gilliam.
  7. Clarify language of rule 2.101 regarding the role of the compact administrator on acceptance and rejection of offenders: Mruczek, Hayes.
  8. Review issues surrounding sex offenders employed as long distance truck drivers: Martinez, Lowery, Tuthill.
  9. Analyze change made at 11/03 Commission meeting to rule 3.103 that requires states to issue a travel permit to an offender who may not meet the residency requirement of rule 3.103, but is living in the receiving state at the time of sentencing: Hageman, Winckler.

Winckler asked that comments from committees be sent to Blackburn.

- Discussion of forms. All committee members should have received copy of forms for review. Blackburn to send forms to all commissioners for feedback within 30 days. Wall noted that forms should be completed prior to training in March. Geiger stated that she had forwarded the forms to her field offices for input. The committee was asked to endorse Blackburn’s work on the forms.

V. New business

- No new business—note taken that the next meeting be held to discuss the misdemeanor issue.

VI. Next meeting(s)

- Teleconference meetings are scheduled for February 6 & 20, March 5 & 19, April 2, 16 & 30, May 14 & 28, and June 11 & 25 at 12:00 p.m. (EDT).

- PLEASE NOTE: THESE MEETINGS WILL NOT ALL BE HELD. THEY ARE SCHEDULED FOR THE PURPOSE OF MEETING OUR DUTY TO PROVIDE 30 DAYS’ NOTICE PRIOR TO MEETING.

VI. Adjourn

- Motion to adjourn brought by Wall, seconded by Lowery. All in agreement and the meeting was adjourned at 1:15 p.m. EST.