Day 1  March 8, 2005

Committee Members in Attendance
1. Milt Gilliam
2. Dori Ege
3. Amy Wright
4. Mike DePetrio
5. Henry Lowery
6. Doreen Geiger
7. Judge John D’Amico
8. Ed Ligtenberg
9. Gerald VandeWalle (ex-officio)
10. Pat Tuthill (ex officio)

Committee Members not in Attendance
1. Sherry Pilkington
Guests

1. David Guntharp
2. Ann Hyde
3. Richard Stroker

Staff

1. Don Blackburn
2. Rick Masters
3. Mindy Spring

Call to order

• The meeting was called to order at 8:40 am EST. 8 members were present establishing a quorum.

Update

• Executive Director D. Blackburn introduced national office staff.
• D. Guntharp explains that one important responsibility of the Rules Committee is to look at processes to adopt and amend Rules that are less time consuming at Annual Meeting of the Commission.
• D. Guntharp introduced Richard Stroker sent by NIC to look at different processes for decision making and rule making.
• M. Gilliam gave a brief overview of the agenda. Described main focus of the Rules Committee is to determine if the Compact is going in the right direction and supervising the right offenders.
• Richard Stoker from the Center for Effective Public Policy will assist the Rules Committee in developing a report to determine the directions of the Rules Committee. A brief outline of the presentation follows:

Richard Stroker

I. Introductions; identify meeting purpose
II. Discussed agenda and developed team ground rules
III. Discussion of individual values regarding the Compact
   a. Uniform system for moving offenders from 1 state to another.
   b. Promote public safety by supervising offenders in community.
   c. Education
   d. Protect Rights of Victims
   e. Better communication to facilitate the movement of offenders from 1 state to another.
IV. Discussion of committee goals regarding the general development or revision of compact rules
   a. Offender success: best protection of the public
b. Policy vs procedure: language of rules
c. Uniformity
d. Accomplish overall purposes of rules and methods (practical/workable)
e. Consistency
f. Create new method of rule adoption and amending to present at annual meeting in September suggested by D. Guntharp
   1. Eliminate floor amendments
   2. Allow discussion for rule interpretation
   3. time limit on debate (2 minutes)
   4. Proposals to Rules Committee to prepare draft
   5. Input at Region meeting to get comments and feedback before published -need timeline
      • E. Ligtenberg suggested to receive comments and feedback at lower level
   6. Final draft published with comments
   7. Public hearing-ready for vote and additional feedback
      • J. D’Amico suggests holding public hearings at APPA conference before annual meeting to get more input/feedback.
      • R. Masters stated that hearings must be held for administrative rule-making processes.
g. Clarity

V. Identified and discussed specific compact rules that are at issue
   ➢ Motion was made to amend Rule 2.109 Adoption of Rules; amendments at the next Rules Committee meeting made by J. D’Amico, seconded by D. Ege, passed unanimously
      • Rule 2.105 Misdemeanants
         o System needs to be created to determine which offenders need supervision whether felony or misdemeanor.
      • J. D’Amico proposes that rules addressing treatment, college students, and temporary travel are imperative to the Commission.

VI. Presentation of a problem solving method *attached*
   a. A. Hyde presented an example of the problem solving method *attached*
      • G. Vandewalle inquired about weighting criteria and its relationship to a pre-chosen outcome.
      • E. Ligtenberg suggested that cost could dominate criteria using this model.

VII. Reviewed pertinent data
   • Identify which offenders require supervision-Risk to community not offense
   • Clarify who is allowed to move
   • Correlate definition of offender with definition of supervision
VIII. Began to identify potential problems
- Lack of uniformity
- Offenders not covered by compact
- Various interpretations of rules
- Transfers outside of the Compact
- Lack of resources

IX. Clarified/researched consensus/prioritized potential problems
- Offenders covered by the Compact (all that need to be supervised)
- Clarifying the Rules
- Contradictory rules
- Rule making process

X. Identified additional data needs and reviewed progress for the day
- Accurate data, information, and trends
- D. Guntharp suggests creating a uniform checklist to calculate eligibility. States would be required to enter certain data about an offender’s offense.
- A. Hyde suggests attaching criminal histories to determine level of supervision for an offender.

- The Committee adjourned for the day at 4:47 pm EST.

Day 2 March 9, 2005

Committee Members in Attendance
1. Milt Gilliam
2. Dori Ege
3. Amy Wright
4. Mike DePetrio
5. Henry Lowery
6. Doreen Geiger
7. Judge John D’Amico
8. Ed Ligtenberg
9. Gerald VandeWalle (ex-officio)
10. Pat Tuthill (ex officio)

Committee Members not in Attendance
1. Sherry Pilkington

Guests
1. Ann Hyde
2. Richard Stroker

Staff

1. Don Blackburn
2. Rick Masters
3. Mindy Spring

I. Richard Stroker
   a. Reviewed and identified problems list
      i. Identifying offenders that need supervision and should be eligible for transfer under the Compact
      ii. Interpretations of Rules
      iii. Contradictory rules
      iv. Rule making process
   b. Began identification of potential solutions to identified problems
   c. Developed criteria for evaluating solutions
   d. Finalized criteria; Applied criteria to proposed solutions
   e. Identified and developed consensus concerning top three preliminary solutions for each specific problem
      i. Identifying offenders
         2. Database: D. Blackburn states that criteria elements can be built into NACIS in Phase II with additional costs.
         3. Outside Research: Bureau of Justice Statistics, other publications; D. Blackburn suggested requesting research information from NIC through Kermit Humphreys (ex-officio)
      ii. Varying interpretations of rules
         1. Report of rules with frequent misinterpretations/disputes
         2. Training for jurisdictions, encourage communication between Commissioners and line staff (delegate to Executive Committee)
         3. Drafting sub-committee: Clarity of rules, encourage discretionary transfers with appropriate safeguards, each committee from Commission provide brief reports
      iii. Contradictory Rules
         1. Rules Committee: Include purpose and objective of each rule, simple language/clear definitions; rules reflect expectations and purpose of the Compact.
   1. Input from Commission on front end (preliminary input)
   2. Firm timelines of process
   3. Give rationale for rule to be sent through or not by Rules Committee
   4. Rules Committee responsible for final draft of proposed rules
   5. No floor amendments

f. **Discussed next steps regarding preliminary solutions**
   i. R. Stroker will prepare a report for the Rules Committee
   ii. Follow-up meeting tentatively scheduled for July in Lexington, KY

g. **Reviewed work completed**

- Motion to adjourn made by E. Ligtenberg, seconded by M. DePeitro. Meeting adjourned at 2:45 pm EST.