Committee Members in Attendance:

1. Paul Quander, DC
2. Pat Tuthill, Ex officio, FL
3. Kathie Winckler, TX
4. Ben Martinez, PA
5. Jim Cosby, TN
6. Milt Gilliam, OK
7. Doreen Geiger, WA
8. Tina Hayes, FL
9. Chief Justice Gerald VandeWalle, ND

Committee Members Not in Attendance:

1. Bob Steinman, MI
2. A.T. Wall, RI

Guests:

1. Barry Groves, FL
2. Kevin Dunphy, RI (for A.T. Wall)
3. Tom Williams, DC

Staff:

1. Mike McCabe
2. John Mountjoy
3. Rick Masters

- Kathie Winckler, chair of the committee, called the Rules Committee to order at 12:01 p.m. Following introductory remarks, Winckler called for a roll call of members. Seven of 9 voting members were present, establishing a quorum.
• Winckler called for an update from staff. Mountjoy provided information on the new discussion board as well as information on the status of the compact in the states.

• Winckler called for an update from the subcommittee workgroups:

1) Date collection and reporting; eligibility for transfer (Winckler, Cosby). Both members were present, however the subcommittee had nothing new to report.

2) Mediation, arbitration, and dispute resolution; offender violations and returns to sending state (Gilliam, Steinman). Only Gilliam was present, however the subcommittee had nothing new to report. The group said it would likely meet with the Compliance Committee during the June 2003 meeting.

3) Offender registration and compliance; level of supervision to be provided by the receiving state (Quander, VandeWalle, Martinez). All members present, however the subcommittee had nothing new to report.

4) Transfer procedures and forms; collection of restitution and fees (Hayes, Groves - Wall, Dunphy). Hayes present, however Winckler called on Dunfy and Groves (both sitting in for respective members) for a progress report. The subcommittee had nothing new to report.

5) Notice to victims and opportunity to be heard (Geiger, Tuthill). Both members present and the group spent the bulk of their time discussing (see attached).

• Winckler called for New Business. An e-mail correspondence from Barry Groves dealing with offenders and bonding was addressed. No other business was raised.

• Winckler reminded the committee members to submit those existing rules that have or need to be addressed (with specific references).

• Winckler reviewed the dates for the next meetings: June 5, 2003 at the Standing Committees meeting in Lexington, Kentucky. Winckler also scheduled the following meeting dates via conference call for the committee: July 11, July 18, July 25, August 1, August 8, August 15, August 22, August 29 at 12:00 p.m. (EDT).

• Hearing no more new business, Winckler called for a motion to adjourn. A motion was brought by Martinez, seconded by Gilliam and the committee adjourned by unanimous consent.
INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

RULES COMMITTEE
TELECONFERENCE MEETING

FRIDAY, MAY 30, 2003
12:00 P.M. (EDT)

1-888-883-6183, Room #: *7389593*

I. Call to order & roll call
   • Establishment of a quorum
     o 9 voting and 2 non-voting members

II. Staff update

III. Report of subcommittees and materials submitted
   • Subcommittee reports
     1. Data collection and reporting; eligibility for transfer
        (Winckler, Cosby)
     2. Mediation,, arbitration, and dispute resolution; offender
        violations and returns to sending state (Gilliam,, Steinman)
     3. Offender registration and compliance; level of supervision
        to be provided by the receiving state (Quander,
        VandeWalle, Martinez)
     4. Transfer procedures and forms; collection of restitution and
        fees (Hayes, Wall)
     5. Notice to victims and opportunity to be heard (Geiger,
        Tuthill)
   • Subcommittee work deadlines:
     o Subcommittee work products to be submitted to chair and staff

IV. New business

V. Next meeting(s)
   • June 5, 2003 – Lexington, KY

VI. Adjourn
### Victim Issues Compact Rules Consideration

<table>
<thead>
<tr>
<th>Elements</th>
<th>Provisions of current rule</th>
<th>Issues /Recommendations</th>
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<tbody>
<tr>
<td>2-101</td>
<td>Eligibility for Supervision</td>
<td>• Offenders should be in compliance with the conditions of their probation in the sending state.</td>
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<td>• Minimizing the threat to public safety must be addressed in the transferring of offenders</td>
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<tr>
<td>2-112</td>
<td>Victim Notification</td>
<td>• Victims live in fear that their offender will locate them and revictimize them.</td>
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<td>Victim Notification requirements are the responsibility of the sending state in accordance with the laws and policies of the sending state</td>
<td>• Victims’ rights to notification should be enforced in the receiving state.</td>
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<td>Create uniformity among states for victim notification policies</td>
<td>• The sending state should be the primary contact and distribute information to victims registered in that state. Since notification requirements will differ from state to state, the sending state is in the best position to monitor those requirements. The receiving state, in turn, needs to promptly report any changes in the status of a case promptly to the sending state. This would include violations, changes of address, absconding, etc.</td>
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<td>• The sending state will request information as necessary to fulfill victim notification requirements</td>
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<td>• Victims should also be informed of the method that will be used to report violations of the conditions of supervision that may concern them.</td>
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<td>• Time frames for the reporting of violations and other pertinent information could be included in the compact rules. Use of E technology should be encouraged in order to more quickly process information among the states.</td>
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<td>• This should be sufficient. Much of the information as needed for victim notification can be gleaned by compact office personnel ie, current address, status of the case, last contact, etc.</td>
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<td>3-101</td>
<td>Investigation of Parole and Probation Plan</td>
<td>• Sending offenders via travel permits has become more the norm rather than the exception and is contradictory to the rule.</td>
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<td>Any Parole or probationer residing outside the jurisdiction of the sentencing state must be referred for a transfer investigation and decision by the state in which he/she resides. In all cases, except emergency situations</td>
<td>• While it would be easy to deny any reporting instructions for sex or violent offenders, this could be more of a concern for the victim assuming that most victims will be residing in the sending state. It would be in everyone’s interest to allow the</td>
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</table>
offender to move quickly to the sending receiving state if the circumstances and considerations for public safety call for it or if it provides a more stable environment for the offender.

- Have the sending state initially verify the proposed plan with the proposed sponsors to confirm that the family is willing to sponsor the offender.

- Emergency travel has become too easy and should be strictly defined and not occur without official appropriate documents identifying the emergency at the time of the request and confirmation required.

| 4-106 | Temporary / Provisional Travel permits | 1) Temporary Travel permits. A receiving state shall have the discretionary authority to issue...a temporary travel permit to make visits out of the receiving state for a period not to exceed 30 days.
2) Provisional Travel Permit. Provisional Travel permits may be issued by the sending state to allow a probationer or probationer to proceed to a receiving state prior to completion of an investigation and formal acceptance of the case in emergency situations.
3) I would like to be sure that emphasis is placed on victim safety (notification) for travel between the sending and receiving states (especially in emergency cases).
4) Why not control who works out of state and the kind of work they do. Do we want a sex offender being gone for months without any supervision other than calling or mailing in a piece of paper?
- Victims should be notified in advance of offender’s request for travel of any kind and have an opportunity to comment before an offender is allowed to travel.
- The sending state should impose conditions to alleviate/address specific victim concerns. The receiving state needs to maintain the discretion to allow travel that does not impact the imposed victim concern condition(s).
- Travel permits provide unnecessary privileges to the offenders and place public safety at risk.
- Temporary travel to states other than the sending state should be at the discretion of the receiving state, but should only be allowed for defined, confirmed and necessary reasons. These reasons could include work, civil or criminal court matters, family emergency. Travel to the sending state should not be granted without the consent of the sending state.
- Notification of requests and responses not completed in timely manner and offenders are allowed to travel or relocate without proper supervision or control for extended periods.
- No travel to the “proposed” receiving state should be allowed without the consent of the receiving state. The sending should be required to submit the formal request for transfer with a “relative tight timeframe”.
- The question that needs to be addressed is...
who should be responsible for supervision of the case while the formal transfer investigation is being completed?

- Assuming that most victims will continue to reside in the sending state, the intent should be to alleviate some of the victim’s concerns if the offender is processed to the receiving state as quickly as possible.

| 4-110 | Interpretation and Practices Regarding Violations | Reports of Violations: A receiving state shall promptly, upon violation, notify the sending state of such violations…. | • Victim should be provided with the name and contact information of the person and agency the offender will be reporting to.
• The sending state is in the best position to provide information to the victim and make requests for such information that is needed by the sending state from the receiving to address victim questions/concerns.

| 4-111 | | Retaking of violators concern. Reported violations are often ignored or the process is not a priority (taking several months) and the probationer is ineffectively supervised, if at all.
• The challenge will be that there are currently multiple decision-making jurisdictions, ie court, DOC, parole boards. It will take a concerted effort by the state councils each state to implement.

| New | No-Contact Order | | • Enforcement of “no-contact and protection orders” regardless of the location of the offender should be addressed in the rules.
• No contact and protection orders should be treated as conditions of supervision, making not only a law violation but a technical supervision violation as well.

| New | Sex Offender | As you well know, there are way too many “lost” sex offenders out there | • Supervising agencies should notify sex offender registries and communities when a sex offender relocates.
• Receiving states must ensure registration occurs within defined guidelines and there is continuity of supervision.
• Provide effective procedures and means for transferring high-risk offenders, particularly sex offenders, to avoid premature transfers that place the public at risk.

| New | Development of a Database | I assume that this would be a national database | • In the development of a secure database and development of rules, provisions should be included that contain relevant information about victim notification, offender financial
| and legal obligations, and victim protection issues |