Interstate Commissioner for Adult Offender Supervision
Rule Committee Meeting Minutes

August 8, 2007
11:00 AM EDT
WebEx

Members in Attendance:
1. William Rankin  Chair
2. Ed Ligtenberg  SD
3. Jeanette Bucklew  IA
4. Kathie Winckler  TX
5. Dori Ege  AZ
6. Rick Masters  Legal Counsel
7. Karen Tucker  ex-officio
8. Pat Tuthill  ex-officio
9. Kevin Dunphy  ex-officio
10. Gerald VandeWalle  ex-officio

Guests:
1. Carol Monroe

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

Call to Order
B. Rankin called the meeting to order at 11.05 am EDT. Five out of six members were present. Quorum was established.
Approval of Agenda
E. Ligtenberg moved to approve the agenda. K. Winckler seconded. Agenda was approved.

Approval of Minutes
Minutes June 26-27, 2007: W. Rankin made a motion to approve the Minutes from June 26-27, 2007 meeting with noted amendments on p23. K. Winckler seconded. Minutes were approved as amended.

Minutes July 12, 2007: The minutes from July 12, 2007 were approved by acclamation.

Comments and Final Drafts of Proposals:

- **Rule 2.109 Adoption of Rules; Amendment** The Committee had a discussion on a proposed amendment to the Rule 2.109, which only required the Rules Committee to propose amendments to the Commission not later than an odd-numbered year.

R. Masters clarified that the Emergency Rule making procedure would still apply and the Committee could still exercise the discretion to have a rule change earlier than every two years.

The majority of the Committee agreed that there was a valid concern of a possible situation that would not meet the four types of emergency rule requirement, but still be a significant issue that needed to be brought up earlier, than every two years.

W. Rankin proposed to make the following addition to the Justification: the proposal does not prevent the Rules Committee from bringing a proposal to the Commission for final action prior to the annual business meeting in the odd-numbered year. The Committee agreed by acclamation. The sentence was added to the justification 2.109 section (b).

- **Rule 1.101 Definitions** W. Rankin proposed to change the title of the Rule 1.101 Definition of Sex Offender to Definitions.

There were numbers of comments posted on the internet under the Rule Language. The States had listed their issues, but did not specify if they were for or against the rule language. The Committee decided no changes to this section were necessary.
The Rule Committee amended the language to make it consistent with other definitions. *Subject to the rules governing the* was changed to *who is required to request.*

**D. Ege** made a motion to approve the change of language in Rule 1.101 Definition. **J. Bucklew** seconded. Motion was approved.

- **Rule 3.101-4 Transfer of Supervision of Sex Offenders** W. Rankin informed the Committee that this Rule received the most comments: Kansas, Michigan and Vermont supported the Rule; Arkansas, Oregon, South Dakota and New Jersey were opposed; Florida, Virginia, Minnesota, and Ohio had some comments and/or concerns about the Rule.

The original **Rule Proposal 3.101-3** was withdrawn by the Rules Committee. W. Rankin proposed to change the title of the Sex Offender Rule Proposal **3.101-4** to 3.101-3.

In addition, in the title itself “Transfer of Supervision of Sex Offenders” was changed: only the first word would be capitalized, the rest were changed to the lower case.

**W. Rankin** made a motion to replace the colon “::” with a period “.” At the end of section (a). **K. Winckler** seconded. The motion was approved.

There were some comments about the inconsistency in the paragraph (b). There was a proposal to change “the sending state shall provide all information, if available, to assist the receiving state in supervising the offender. This information shall include:” to: “the sending state shall provide the following information, if available, to assist the receiving state in supervising the offender”.

**W. Rankin** made a motion to approve the amendment to the paragraph (b) of Rule 3.101-3. **K. Winckler** seconded. The motion was approved.

**P. Tuthill** expressed concerns about the victim confidentiality in the Rule 3.101-3. W. Rankin advised to raise this issue during the annual business meeting’s Public Hearing.

The Committee discussed the comments on the **paragraph (c) section (2)**. No amendments were made.

The Committee revised the section **Effect on Other Rules**: *No Effect of ICAOS Rules* was changed to *No Effect on ICAOS Rules.*
W. Rankin volunteered to revise the justification in the Rule proposal. He would work with R. Masters on the language, and then he would send it out to the committee for review.

“Justification” for Rule 5.108
W. Rankin thanked D. Ege for her hard work on this Rule. Nobody had comments or concerns on the proposed Justification. The Justification was adopted. The Justification will be incorporated into the Rule Proposal Amendment.

Update Committee Business Calendar
The Committee reviewed the ICAOS Rules Committee Business Calendar for 2006-2007. W. Rankin asked M. Spring to send all the committee members a complete list of proposals with the latest justifications. The proposals and notice of Public Hearing would be posted on August 15, 2007.

Old Business
There was no Old Business.

New Business
There was no New Business.

Adjourn
D. Ege made a motion to adjourn. J. Bucklew seconded. The meeting was adjourned at 12:13 P.M. EDT.