INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION
RULES COMMITTEE

Meeting Summary and Minutes
via Conference Call
12:00 pm to 2:00pm (EST)
September 19 2003

Committee Members in Attendance:

1. Tina Hayes, FL
2. Milt Gilliam, OK
3. Ben Martinez, PA
4. A.T. Wall, RI
5. Jim Cosby, TN
6. Kathie Winckler, TX
7. Doreen Geiger, WA
8. Chief Justice Gerald VandeWalle, ND - Exofficio
9. Pat Tuthill, FL - Exofficio

Committee Members Not in Attendance:

1. Paul Quander, DC

Guests:

1. Barry Groves, FL
2. Kevin Dunphy, RI
3. Dori Litler, AZ

Staff:

1. Don Blackburn
2. Rick Masters
3. Mike McCabe

- Kathie Winckler, chair of the committee, called the Rules Committee to order at 12:01 p.m. (EDT). Following introductory remarks, Winckler called for a roll call of members. 7 of 8 voting members were present, thereby establishing a quorum.
- Winckler led the group in a discussion of the meeting minutes from 9/12. Martinez had one correction concerning the spelling of Mary Achilles, PA. A motion to adopt the minutes from 9/12 as amended was brought by Gilliam, seconded by Wall and adopted as amended by unanimous consent. Chair Winckler pointed out to the committee that the draft rules
dated 9/17 were placed on the web site in error and have been removed. The only rules on the web site now are those approved by the committee in Washington D C

- Winckler called for a staff update Blackburn reviewed the drafting team meeting in Lexington and announced that the first newsletter had been posted on the web site

- Winckler provided a Chair update, detailing the review of rules, comments and plans to address future comments from Commissioners and the field. All committee members are asked to share any comments received with the rest of the committee and are reminded that all work on the rules must be completed by Oct 3, 2003 in order to conform to the 30-day notice provision of the compact and bylaws. The goal is to have the committee approve the rules by Oct 3rd and have them posted on the web site. There will be no changes after that date except for amendments that may be adopted at the annual meeting. Winckler expressed her appreciation to the members for taking the time to be present.

- Winckler led the committee in a discussion of Old Business. Winckler asked Tuthill to present the rule on victim notification crafted by the drafting committee for consideration and discussion. Following discussion and the introduction of recommended changes, Martinez made the motion to accept Rule 3, 108 and 3, 1081 with changes noted. The motion was seconded by Gilliam and adopted as amended by unanimous consent. Martinez made a motion to approve a previously drafted rule restricting the issuance of temporary travel. Motion was seconded, for discussion purposes only, by Gilliam. Winckler opened the matter for discussion. Martinez expressed his belief that this proposed rule is an important victim-safety issue. Tuthill expressed her support of restricting travel, but, felt this issue was not for the compact alone to solve but for individual states. She said she is in the process of reaching out to the directors of corrections and probation and parole. Winckler requested general counsel Masters to brief the committee on constitutional issues related to this matter. Masters indicated that an argument could be made that equal protection issues exist when we treat a compact offender differently than other offenders under supervision by the receiving state. Tuthill proposed changing the language to apply only to victim sensitive cases. Geiger made motion to table the rule until next week to give the drafting team an opportunity to insert the language suggested by Tuthill in the victims’ notification rule. Motion was seconded by Gilliam and adopted by committee by unanimous vote. Winckler emphasized to the committee the importance of everyone’s being present at next week’s and the following week’s meetings so the committee can complete its tasks by Oct 3. She reminded members that they should have a copy of the new draft of the rules and be familiar with the changes made by the drafting subcommittee.

- Winckler called for New Business. No New Business was brought forward.
• Next meetings - the next meeting will take place on Sept. 26, 2003 at 12:00pm (EDT) @ 888-387-8686, 7389593. Meetings are scheduled for each Friday at this time until the November annual meeting. Specific meeting topics are listed in the 9/6/03 memo from Winckler and in the agenda sent to the members for 9/26.
• The Committee adjourned by unanimous consent at 1:37pm (EDT).