INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

SOUTH REGION
WEB CONFERENCE MEETING

December 7, 2006
10:00 a.m. EST

Members in Attendance

1. Gary Tullock (TN)
2. G. David Guntharp (AR)
3. Joe Kuebler (GA)
4. Genie Powers (LA)
5. Judith Sachwald (MD)
6. Milt Gilliam (OK)
7. Ann Clarke (SC)
8. Kathy Winickler (TX)

Guests

1. Jody Tracey
2. Melanie Brock
3. Kimberly Jones
4. Angela Tolley
5. Amanda Burt
6. Vickie Jakes
7. Walt Pulliam
8. Jim Sisk
10. Pam Levine
11. Ann Precythe
12. Richie Spears
13. Laura Cole
Staff

1. Don Blackburn
2. Ashley Hassan
3. Mindy Spring
4. Xavier Donnelly
5. Nicole Smith
6. Kevin Terry
7. Sam Razor

Opening Comments

- The meeting was called to order at 10:02 a.m. Eight of fourteen members were present, establishing a quorum.
- G. Tullock asked that states with issues to discuss bring them up during the Region update portion of the agenda, rather than going through all the states in order. He also asked that Commissioners forward any future agenda items to him prior to the region meetings so that they can be included.

National Office Update

- D. Blackburn told the region that the newsletter had been completed and sent out, and that the National Office had completed its annual audit early and would be finishing the annual report by the end of the year. He stated that the National Office had been conducting a great deal of WebEx trainings as well.
- D. Blackburn then discussed the Advisory Opinions that had been removed from the website pending review and also the new legal advisory group that had been created to address these opinions in the future. He then requested that the regions review opinions as they are issued and discuss them at the regional meetings to discuss and submit challenges, questions, and interpretation issues.
- He then discussed the Sex Offender Ad Hoc Committee. G. Tullock noted that a great deal of current members had been part of the previous ad hoc committee.

Region Update

- G. Tullock asked the group if they wanted to go through roll call for each state or just allow those states with updates to speak. D. Guntharp and A. Clarke concurred that the meeting would be more efficient if only those states with something to discuss spoke up. Seeing no opposition, G. Tullock stated that this would be standard procedure for future meetings.
- J. Sachwald stated that she was having trouble getting state council members to attend their meetings and asked for advice. G. Tullock advised that he had sent out the minutes of region meetings with a cover letter outlining the issues that face his state. He also contacted the individual who appointed the members of the council. He stated that D. Blackburn visited and conducted training, which also got the members excited about being involved. He also suggested trying to use videoconferencing to increase the convenience of meeting.
- G. Tullock asked if the other region members were facing this issue as well. G. Powers noted that she has had difficulty getting members appointed in her state. A. Clarke stated that she has faced the same issue in her state.
- W. Pulliam thanked D. Blackburn for referring the Lexmark scanning systems to his state. A. Clarke noted that her state has built a new system that will interface well with NACIS, as it is a web-based system. W. Pulliam noted that his state was using X-Wave.

**Committee Updates**

- **Executive Committee**
  - D. Blackburn provided the update on the Executive Committee. He stated that it had met once so far, and would meet again in January.

- **Rules Committee**
  - D. Blackburn asked K. Winckler to give an update. She stated that the Committee had met once for organizational purpose.
  - K. Tucker brought up the memo from Chair B. Rankin regarding the rules amendment deadlines.
  - G. Tullock asked if there had been any changes regarding the rules passed at the 2006 Annual Business Meeting. D. Blackburn stated that it had not, but gave an overview of Rule 4.109-1.
  - There was discussion of the probable cause processes in Kentucky, South Carolina, Georgia, Louisiana and Tennessee.
  - **K. Winckler moved that the region send Rule 5.108 to the Rules Committee for Review. J. Sachwald seconded. Motion passed.**
  - There was discussion of the procedure for referring rules to the Rules Committee.

- **Training Committee**
  - A. Clarke stated that the WebEx training sessions for DCAs and Compact Administrators over the new rules were filling up quickly. She also stated that the Training Committee would be setting additional WebEx training dates in January.
  - K. Winckler asked if the lesson plan and PowerPoint presentation on the website had been updated. D. Blackburn stated that the PowerPoint had been updated but not the lesson plan.
  - W. Pulliam asked when training on Chapters 3 through 5 would be up on the website. D. Blackburn stated that the National Office hoped to have those completed by year’s end.

- **Technology Committee**
  - D. Blackburn reviewed the progress of the Committee toward terminating the contract with Softscape, Inc.
  - K. Winckler asked for an update on the search for a new vendor and a possible timeline. D. Blackburn stated that the Commission’s lead counsel has advised that it is acceptable for the Committee to begin looking for a new vendor and start negotiations.
  - D. Blackburn added that the Committee had asked the National Office to prepare an RFI for three other vendors, and that the National Office would
continue to work on that document, new tech specs, and the arbitration proceeding against Softscape, Inc.

- **Finance Committee**
  - J. Sachwald stated that she had been appointed to the Committee but that they had not yet met.

- **Compliance Committee**
  - D. Blackburn stated that the Committee had not yet met, but that it was finalizing its members.

- **Sex Offender Ad Hoc Committee**
  - D. Blackburn stated that the December meeting for the Committee had been postponed but that the Committee would be active.

- G. Tullock asked if any region members wanted to volunteer for a committee that hadn’t already.

- There was discussion of the timeline for Florida and Alabama to get new Commissioners appointed. K. Tucker noted that Florida had just held an election. G. Tullock indicated that he would contact R. Oakes for an update regarding Alabama.

- **DCA Liaison Committee**
  - M. Gilliam stated that the Executive Committee had voted to create a DCA Liaison standing Committee designed to provide feedback from the DCAs. He also stated that the Committee needs to remain positive and not be a venue for complaints.
  - He indicated that he would be interested in recommendations from Commissioners.
  - There was discussion of the DCA meeting at the Annual Business meeting. K. Tucker and J. Sachwald voiced their support for the work done in that venue.

**New Business**

**Rule Changes**

- G. Tullock discussed the issues that his state council had asked him to address at the region meeting.
  - Definition of “relocate”: G. Tullock stated that his state council had recommended that the region discuss notifying receiving states when issuing a travel permit. K. Winckler voiced her opposition to this, stating that it increases a burden on Compact Offices. She suggested that this may be a viable suggestion for certain types of offenders (i.e. sex offenders). J. Kuebler suggested looking at the issue again once NACIS is implemented. There was discussion of whether this would transfer liability.
  - Rule 3.101-2: G. Tullock stated that his council asked the region to discuss changing the transfer rule to avoid creating circumstances that look discretionary. M. Gilliam stated that the Commission did not want to get too specific with the definition in order to leave it somewhat open to
interpretation. G. Tullock asked if there was support for opening up further discussion on Rule 3.101-2. No Commissioners agreed with this.

- Resident family timeline: G. Tullock stated that his state council had discussed that the 180 days residency requirement was too short and wanted to explore changing this to one year. There was no support from the region.

- Military relocation: G. Tullock stated that his state council had asked if the Commission needed to create a rule allowing a military offender to return to the state in which he or she was raised. J. Sachwald noted that Compact offices could use the discretionary rule for these issues.

- Proving family relationships: G. Tullock stated that his state council wanted to know if it was incumbent on the offender to prove a relationship with family. M. Gilliam stated that this issue is addressed in the investigation process.

- A. Clarke asked the region to discuss Rule 4.112-3 sections (a) and (b). She asked if 90 days was too long and if the region should discuss changing it to 30 days.

- M. Gilliam cited Rule 2.109, stating that any rules sent to the Rules Committee must be in the form of an amendment with the goal of sending drafted language. D. Blackburn agreed, stating that legal counsel has advised that rules must be referred as written proposals or amendments.

- G. Tullock asked if the Rules Committee was obligated to send language to the Commission exactly as it has been submitted by a region or if it would compile those suggestions into one recommendation.

- M. Gilliam stated that the Rules Committee could rewrite a rule of its own as a standing Committee or choose to present all the options to the Commission.

- A. Clarke stated that she would draft language for her proposed rule amendment. She made a motion to recommend that the three references to 90 days in sections (a) and (b) of Rule 4.112-3 be changed to 60 days. M. Gilliam seconded.

- J. Sachwald agreed that 90 days was too long and asked if there even needed to be a waiting period. A. Clarke stated that she agreed and would accept a friendly amendment striking the 90 day timeline altogether.

- G. Tullock asked if the region agreed that Ann would draft the language, circulate it to the region members and submit it to the Rules Committee with no more voting necessary. **Motion passed.**

- K. Winckler stated that she was still concerned with the language of Rule 5.108 and asked the region to send the rule to the Rules Committee without finished language.

- G. Tullock stated that language had to be sent to the Rules Committee in order to give it direction as to what to address in the rule.

- K. Winckler stated that she would draft the language she would like to see in Rule 5.108 and take it to another region for referral.

**Border State Issues**

- G. Tullock asked if the South region still wanted to address border state issues and asked if any one would be interested in chairing or participating on a sub-Committee to address these issues.
• R. Grimes, A. Precythe, J. Tracey, and W. LaCour all volunteered to participate. G. Tullock indicated that he would contact D. Guntharp to discuss chairing the Committee.

• G. Tullock asked that any person wishing to present rule changes to the region for referral to the Rules Committee draft language and send it to the National Office so that it can be included on future WebEx conferences for discussion. He indicated that this should be standard procedure in the future.

• M. Gilliam made a motion to adjourn the meeting. G. Powers seconded. Motion passed. Meeting adjourned at 12:23 p.m. EST.