In Attendance:

- Judge John Ott, Judiciary Branch
- Rep. Alan Powell, Legislative Branch
- Steven Hatfield, Victims’ Representative
- Jenna James, Parole Representative (member)
- Mark Morris, Dept. of Corrections (member), attended via phone conference
- Chris Moore, Dept of Corrections, Commissioner
- Joe Kuebler, Parole (visitor)

Absent

- Thomas Worthy (not in attendance)

The meeting was called to order at 10:00 by Chris Moore. Motion to approve agenda was made by Judge Ott and seconded by Mark Morris. Motion passed without opposition. Motion to approve the minutes was made by Rep. Powell and seconded by Judge Ott. Motion passed without opposition.

The first item on the Agenda was the meeting with the Sheriffs Association on April 22, 2014. Terry Norris, Executive Director of the Sheriff’s Association, Chuck Saphos, Executive Director of the Prosecuting Attorney’s Council of Georgia and several members of the Sheriff’s Association were in attendance. Judge Ott, Mark Morris, Chris Moore and Jenna James represented the State Council. The expectation was for there to be discussion to clarify ICAOS rules with regard to retaking and to come up with proposals that address problems with retaking and mutually beneficial to both state and local agencies. The meeting did not go as expected. Judge Ott commented that he was unprepared for the direction the meeting took. Mark Morris, Chris Moore and Jenna James shared that sentiment. During that meeting, one of the sheriffs challenged the group asking why the Department of Corrections could not extradite/retake its own offenders. Following the meeting, Judge Ott researched the issue and found that the sheriff’s Oath of Office indicates that
sheriffs are required to execute warrants, signed by a judge, with due diligence. There had been prior discussion to get an opinion from the Attorney General, however, the Oath of Office negates the need for the AG opinion.

Should the local sheriffs continue to refuse to serve the Department of Corrections’ probation warrants on probationers in violation status, DOC can utilize a Writ of Mandamus and have the case heard before the Supreme Court. This should be a last resort and only used if the state of GA is at risk of being fined by the Commission. DOC will attempt to exhaust all measures locally prior to utilizing this option. Nonetheless, timing may be an issue since Compact rules mandate the sending state pick-up the noncompliant offender within 30 days after probable cause has been established. The point was made that there is no discretion in retaking an offender if probable cause has been determined that the offender violated the terms of supervision.

Judge Ott advised that the sheriffs’ concerns are two fold: the financial burden associated with retaking offenders across state lines and the discretion that currently exists for pretrial cases. Compact cases do not allow for this discretion, but the sheriffs are unable to distinguish between pretrial cases and Compact cases.

We all agreed that funding is an issue for all involved. It was suggested that a centralized fund be created and used to fund extraditions. There were numerous suggestions regarding how the funds could be appropriated and disseminated.

Chris Moore and Jenna James discussed data provided by the ICAOS National Office. During the period of 2011 - 2013, there were 1077 offenders that required extradition/retaking. According to the national office, this number is not precise because the data was not specific to the retaking rules. However, during 2013 - 2014, there were 121 cases that required retaking. This number is more accurate because the violation report contains a field that addresses retaking; the data was pulled directly from this report.

There was discussion to increase the statutory Interstate Compact Application fee which is currently $25. Jenna James reported that based on the numbers provided in the 2013 - 2014 report, 27 parolees were retaken at a total cost of $20,694. Additional data is necessary to quantify the need to increase the Interstate Compact Application fee. Jenna James also reported that according to the data provided on the national website, the state of North Carolina currently charges a $250 application fee and the state of Arizona charges probationers up to $300. Rep. Powell suggested GA increase the application
fee from $25 to $300. The application fee was established by GA Code and would require an amendment to the code section to effect the change. Rep. Powell indicated that this matter can be presented as an Administration bill. If a portion of this fee is earmarked to fund extraditions, it may make the matter more palatable for the agency tasked with this function.

Steven Hatfield added that the funds collected can be routed directly to a fund, as is the case with the Victim Compensation Fund. Money can then be disbursed to the agencies requesting reimbursement. The council would benefit from getting additional information from Mr. Hatfield as we move closer to a more defined plan of action. Rep. Powell has requested affirmation that the application fees submitted to Consolidated Banking are actually being sent to the General Fund. He also asked for the number of offenders transferred for out of state supervision each year and the amount of money collected by Consolidated Banking for the transfer of offenders.

Motion to begin the process to raise the Interstate Compact Application Fee from $25 to $300 was made by Judge Ott and seconded by Rep. Powell. Motion passed without opposition.

**Action Items:**

1. Affirmation re: funds being sent to the General Fund (Mark Morris)
2. Number of offenders who pay an application fee (Chris Moore)
3. Total number of offender transferred out of state (Jenna James)

The next State Council meeting is scheduled for Friday, September 19, 2014 at 10:00 am. The meeting adjourned at approximately 11:15.