Interstate Commission for Adult Offender Supervision
Georgia State Council Meeting Minutes
October 24, 2014

In Attendance:
• Judge, John Ott, Judiciary Branch
• Rep. Alan Powell, Legislative Branch (attended via phone conference)
• Steven Hatfield, Victims’ Representative
• Mark Morris, Dept. of Corrections (member)
• Chris Moore, Dept. of Corrections, Commissioner
• Brian Tukes, Executive Branch Representative
• Jenna James, Parole Representative (member)
• Joe Kuebler, Parole (visitor)
• Mike Kraft, DOC (visitor)

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

New attendee, Brian Tukes, was welcomed by Chris Moore and given the opportunity to introduce himself. He has worked with Governor Deal for 2 years and just finished his degree in Public Administration from the University of Georgia.

OLD BUSINESS
Both Jenna and Chris were tasked to provide data necessary to move forward with a plan to resolve issues regarding retaking.
• Number of offenders transferred - Jenna James provided data
  • 2009 - 4187
  • 2010 - 4839
  • 2011 - 4230
  • 2012 - 4284
  • 2013 - 3977
  • 2014 - 1748 as of June 5th

• Number of offenders paying application fee - Chris Moore provided data
- 2009 - 1020 probation offenders - collected $25,490
- 2010 - 1028 probation offenders - collected $25,696
- 2011 - 1041 probation offenders - collected $26,028
- 2012 - 1302 probation offenders - collected $32,000
- 2013 - 1063 probation offenders - collected $26,574
- 2009-2013 - 25 parole offenders - collected $625

- Jenna James informed the group that, for the past few months, when she taught Basic Counselor Training, she instructed the counselors to make sure inmates are paying the $25 application fee. This emphasis was made when it became apparent some inmates were not paying the application fee as required. If inmates state they do not have the money, they should request it from their family, since as a requirement to transfer; the family has to agree to support the offender financially.

- Affirmation that fee sent to general fund - Mark Morris affirmed that application fees go directly to the General Fund. Mark Morris agreed to resubmit the affirmation. Representative Powell advised that there would have to be legislation passed to make sure funds are appropriated to cover the cost of extradition.

Discussion began about increasing the application fee from $25 to no more than $300. The funds would be used to help with the extradition/retaking of offenders. Chris Moore stated that there should be a process in place to ensure every offender pays and Jenna James stated that there are procedures in place to ensure Consolidated Banking credits the application fee appropriately. Everyone was in agreement. Chris Moore questioned what is needed to get legislation to raise and appropriate the fee. Rep. Alan Powell advised that the fee amount must be established. Once set, documentation has to go to the House and Senate Appropriation Committees for approval. He recommends this be done after the November 4th election as the House and Senate leadership, Legislature, OPB, and Governor’s Office will be more available at that time.

Judge Ott gave an option for using the funds collected. He stated that the Department of Corrections may be able to fund their own unit to handle the extradition/retaking and not rely on the sheriff.
departments. Chris Moore added that over 50% of mandatory retaking of offenders was from border states, which would not be a huge cost. Judge Ott further advised that after quick calculations, if there had been an application fee of $300 in 2009, the state would have taken in approximately $1,256,000. Jenna James clarified that Georgia Code 42-9-90 sets the amount of the application fee at $25. A copy of the code was distributed. It will take an amendment of this code section to change the fee amount.

Rep. Alan Powell asked for clarification on the $100,000 fine the state received from the Interstate Commission for Adult Offender Supervision for non-compliance with the retaking rule. Chris Moore advised warrants with an unlimited pick-up radius have to be issued and the offender has to be picked up within 30 days of availability. In this case, the Commission ruled that the state of GA failed to comply with this rule. Georgia has been given six months to formulate and implement a Corrective Action Plan and the fine will be abated. If the plan is not done and GA was to refuse to pay the fine, the state can be taken to federal court. California and Kansas are two states that have been found in default and fined. California was sued in Federal Court and agreed to settle out of court and pay legal fees. This is the second time Georgia has been in default. The Commission views this as something that was not corrected and views GA as resistant to taking legal action necessary to resolve problem with retaking. The Attorney General’s Office should be asked to render a decision on the sheriff’s responsibility to retake Interstate Compact offenders. A motion was made by Judge Ott to draft a petition to the Attorney General and seconded by Mark Morris. The motion passed without opposition.

NEW BUSINESS
Chris Moore advised that due to the complaint from North Dakota, Georgia has been found in default and fined $100,000. The fine, however, can be abated if the Executive Committee accepts the Corrective Action Plan.

This was a non-voting year at the Annual Business Meeting so an additional day was added for Deputy Compact Administrator training. The training covered day to day issues and allowed the DCAs to discuss these issues in greater detail.
At the South Region Meeting on October 2, 2014, Chris Moore was elected South Region Chair to replace Chris Norman (AL) who was elected Commission Vice Chair.

**Action Items**
- Chris Moore will call Rep Powell after the elections in November
- Chris Moore to draft a petition for an AG decision
- Mark Morris to resubmit the affirmation to Rep. Powell

The meeting adjourned at approximately 10:45.