Minutes
Kansas Council for Interstate Adult Offender Supervision
September 24, 2002

Participants: Senator Derek Schmidt; Senator Rip Gooch; Marilyn Scafe; Charles Simmons; Robert Claus; Juliene Maska; Helen Pedigo; Chris Cowger; Ellen Mitchell; Chris Mechler; Chris Rieger; Robert Sanders

Secretary Simmons convened the second meeting of the Kansas Council for Adult Offender Supervision at 10:10 am on September 24, 2002. The meeting was held in room 220-S State Capitol.

Secretary Simmons opened up the meeting for election of a council chair. A motion was made and approved to elect Marilyn Scafe as Chair of the council. After the election, Secretary Simmons turned the meeting over to Marilyn Scafe.

Chris Rieger, Parole Services Manager, provided an overview on existing practices under the current interstate compact, current policies and procedures for Kansas as the sending and receiving state, current staffing pattern of the Kansas Compact Division, number of offender currently supervised by Kansas from other states, and number of Kansas offenders currently supervised out of state. Chris indicated that Kansas does not been supervise misdemeanor offenders from other states, and this is a violation of the current compact. He indicated that the New Compact as currently written would require us to supervise misdemeanor and diversion cases from other states.

Secretary Simmons asked Chris what were the major problems with the existing compact? Chris indicated the following problems: decision to accept often not made in a timely manner, decision to return an offender for a violation often is not made in a timely manner, the department is required to pay jail per diem to local county jails until a violation decision is made by the sending state, no uniform criteria for acceptance, some state have enacted laws that circumvent the compact.

Robert Sanders, Deputy Secretary of Community and Field Services provided an informational briefing on the New Compact. The overview included the purpose of the Interstate Compact Council, the transition period for the new compact, the role of the compact administrator, the National Commission, staffing for the
National Commission, procedure for rule making for the new compact, staff of the National Commission, national information sharing system and data collection, and the dues formula for the new compact. The projected annual dues for Kansas to participate in the new compact is $25,000, however, this amount could be higher. The projected amount was based on all 50 states participating in the new compact. Currently 40 states are members of the new compact.

There was a considerable amount of discussion regarding the designation of the compact administrator for Kansas according to provisions of the new compact. Secretary Simmons suggested that the compact administrator should be a high-level authority administrator, a decision maker who has a broad understanding and knowledge of community supervision, and who can effectively participate in policy development at the national level. Robert Claus asked if there should be two separate persons one to fulfill the role of the compact administrator and another person for commissioner to represent Kansas at the National Commission meeting. Senator Schmidt indicated that the Judiciary committee intent was to ensure that the Commissioner was a person of stature and capable of representing Kansas at the national level. Senator Schmidt said that the legislature wanted to allow discretion in determining the compact administrator. According to SB 95 under the definition section the compact administrator and commissioner seem to be two separate jobs with own set of responsibilities. The council indicated that the legislature might need to clarify definitions in SB 95 Article IV. Motion made and approved for Robert Sanders to be designated as compact administrator and to serve as the state’s voting member at the National Commission meeting.

Chris Mechler asked if the council needed to establish written qualifications for compact administrator. This issue will be addressed in a future meeting.

There was a discussion about the council’s role and future activities. The council expressed concerns about financial issues, specifically areas that the council has statutory responsibility. Who is responsible for reimbursements for council members and how will reimbursements be made? The council decided that the legislature needed to provide some guidance on this issue. What is going to be the source of payment for the state’s dues for the new Interstate Compact? Who will pay for future trips and meetings that require the attendance of the compact administrator? The council decided that the legislature needed to provide some guidance on these issues. Does the council need staff to assist with the minutes? Secretary Simmons indicated that the department would provide staff to assist with the minutes. Will Kansas provide more than one person to attend the National Commission meeting? Chris Mechler indicated that the judges were very interested in the new compact. Chris stated that there could be a staffing issue regarding the increased workload required to process misdemeanor and diversion cases. Senator Schmidt indicated that a recommendation needs to be to the legislature by March 2003 if additional staff is required in the Interstate Compact Division. Robert Sanders stated that the staffing requirement might not be determined at that time. Senator Schmidt suggested that the council
determine how it will interact with the Division of Budget regarding this issue. The council directed Robert Sanders to contact Kermit Humphries, Program Specialist National Institute of Corrections, to determine if a proposed agenda has been developed for the National Commission meeting. Robert will report this information to Marilyn Scafe and she will determine the date and time for the next council meeting.