those present were Juliene Maska, Tom Williams, Marilyn Scafe, Chris Mechler, Robert Sanders, JaLynn Copp, Chris Cowger, and Roger Werholtz. Guests in attendance were Fred Phelps, Debi Holcomb, Jerry Bauer, and Kim Schwant.

Marilyn Scafe called the meeting to order at 1:00pm. The minutes from the July 31, 2004 meeting were reviewed. Robert Sanders motioned to approve the minutes, Chris Mechler seconded. Motion carried.

Marilyn Scafe advised that Robert Sanders, the current Commissioner for Kansas, was selected to fill a vacancy with the Kansas Parole Board. Keven Pellant was selected to fill his position within DOC, however due to the closeness of the National Commission meeting, Robert will still attend the meeting and present the council’s views on recommended rule changes.

Marilyn Scafe reviewed proposed revisions to the compact rules. The National Commission will discuss these proposals at the October 25 – 28th conference in Atlanta. Robert Sanders indicated that the DOC would wait to finalize the compact policy for staff until the National Commission votes on these changes.

Definitions: The council agreed that they do not support the change in definition for “victim” since Kansas does not have a victim registration process. The recommendation is for no change. The council agreed that the definition for “substantial compliance” is still vague but recommended no changes.

Rule 2.105: The council recommended omitting the wording “register as a sex offender in the sending state” on (a)(4). The council recommends that it read “a sexual offense as determined by the sending state”.

Rule 3-101: The council would like clarification as to whether the subject of this rule is for immediate transfers or for those that wait in the sending state for approval. It is recommended that “good cause shown” be omitted from (3)(a) and replaced with “may be eligible”. It is also recommended that “recognized and certified” be replaced with “accredited”. The time frames listed in (3)(B) are confusing. The recommendation is (a) If an offender returns to the sending state for less than 30 days, the receiving state shall retain supervision; (b) If an offender returns to a sending state for more than 30 days but less than 90 days, the sending state shall resume supervision temporarily; and (c) if an offender returns to the sending state upon graduation or an interruption of studies in excess of three months, supervision shall revert to the sending state. The recommended change for (4) is to replace the word “obtains” to “for”.

Rule 3.103: The council does not support the changes made to this and would like to see the rule stay the same. The council does support an amendment allowing officers to request reporting instructions no more than 5 days in advance of sentencing to help alleviate the problem of not receiving reporting instructions in a timely fashion for returning residents.
Rule 3.1031: The council recommends that this rule be moved to 3-101 as an exception like the military or student scenario. The council also has concerns as to how interstate compact can impose the requirements on the treatment provider if the rule is adopted.

Rule 3.1032: The council does not recommend this proposed rule.

Rule 3-104: The concern expressed by the council was the penalty that this rule places on the offender for the sending state’s supervising officer failing to send the proper and paperwork.

There were no recommended changes for 3.106 or 3.107.

Rule 3.108: The recommendation is no make no change and keep the word “known” victims in the rule.

The council supports the changes for rules 4.106, 4.110, 4.111, 4.112, and 5.102.

Rule 5.105: The council does not support this change and recommends it stay the same or that language is added to ensure that due process is completed prior to retaking. Changing the time frames may have due process implications.

The council supports proposed new rule 5.112.

The council reviewed the proposed rules committee resolution which involves creating another subcommittee to look at developing a case management and decision making matrix to provide states with some guidance for supervision as well as for those who should transfer. The council feels that this does not take into account the right risk factors and should be based on criminogenic needs.

Monthly statistics for compact cases in and out of Kansas will be forwarded to the council at the time they are sent to the National Commission.

Robert Sanders advised that he would obtain a report from Krisha Krumroy, the parole officer selected to represent Kansas’ interests at the National level for the information technology piece.

Marilyn Scafe asked that council members express their interest in serving on several subcommittees to provide guidance to Kansas’s field officers. The suggested committees include: Training, Tracking, Sufficient Evidence Documentation, Significant Violation, Residency Issues, and Users Committee.

The meeting adjourned at 3:05pm.

Respectfully submitted,

Colene Fischli
Recorder