Interstate Compact for Adult Offender Supervision (ICAOS)

Michigan State Council Meeting
November 10, 2011 - 9:00 a.m.
1375 S. Washington Ave, Lansing, MI  48910
Conference Room C (entrance in back of building)

Introductions

Old Business:

1. Approval of 5/21/2010 Minutes

2. Extradition issues with probation
   - Sackett #777714 – Iowa
     - 10/4/11 – convicted of criminal mischief – time served
     - Sentencing for OWI 12/1/11
     - Has not contacted MI agent or Iowa agent since release
   - Abbuzzino #719872 (October 2011)
     - Sex offender in MN
   - National survey conducted on probation retaking
   - ICAOS Document 9/2/11 – sanctions for violating Compact

New Business

3. State Council Binders

4. ICAOS Compliance Audit – December 2010

5. ICAOS Annual Business Meeting – September 2011
   - Rule amendments – effective March 1, 2012
   - Other business

Miscellaneous

- Kwame Kilpatrick Update
  - 11/1/11 – TX not approving any more travel permits until Kilpatrick pays more towards restitution
Present: John Rubitschun – Commissioner/Compact Administrator, Honorable Chief Judge William E. Collette, Asst. Pros. Attorney Keith Clark, Representative Matt Lori and Executive Administrator Cheri Arwood, Governor’s Office.

Guests: DCA Don Matson, Lead Agent Daryn Cobb, Juvenile Compact Commissioner Ted Forrest and Dale Murray.

The meeting convened at 9:00 a.m. and was called to order by Commissioner Rubitschun.

Commissioner Rubitschun welcomed everyone and initiated introductions as new Council members have been appointed since the last State Council Meeting.

Old Business

- Approval of May 21, 2010 Minutes -
  Approved by Keith Clark and seconded by Judge Collette. Motion carried.

- Probation re-taking/extradition problems -
  Several options were discussed to resolve the problem of funding the extradition of probation offenders. Mr. Clark advised that maybe legislative action should be taken that provides specific language as to who pays for the extradition. Judge Collette brought up separation of power and the authority for the state to issue a warrant for a probation offender. The Judge raised the question to what authority the Council has to limit transfers from jurisdictions that refuse to follow Compact Rules. Ms. Arwood asked if the MDOC could set up a fund that was used for probation extraditions. Commissioner Rubitschun to check with MDOC administration about developing an extradition fund using the Interstate application fees.

Judge Collette made a motion to raise the Interstate application fee from $100 to $200, provided the increase in fee would be earmarked for the financial purpose of extraditing compact violators. Mr. Clark seconded the motion, motion carried with all in favor. Judge Collette suggested having the MDOC Presentence Agent recommend the offender posting the application/extradition fee in the presentence investigation before the offender is allowed to transfer out of state. DCA Matson suggested that the fee shall not be waived unless approved by the Area Manager instead of the Field Supervisor as it currently stands. DCA Matson will address this with MDOC administration.
• DCA Matson provided the ICAOS document, sanctions for failing to extradite developed by the West Region in September 2011. Judge Collette and Mr. Clark advised that the Court (MJI/SCAO) should receive more education/training regarding the Compact and extradition requirements. DCA Matson will raise this issue and make recommendations through his FOA chain of command.

**New Business**

• DCA Matson assembled State Council binders for the members. The binders provide essential information pertaining to the duties of the State Council.

• DCA Matson reviewed the ICAOS Compliance Audit that was performed in December 2010.

• DCA Matson reviewed the 2011 approved rule amendments that were approved at the Annual Business Meeting in September 2011.

**Miscellaneous**

• DCA Matson advised that offender Kwame Kilpatrick is now on parole supervision in Texas and under a lot of media attention due to his financial decisions.

• Mr. Clark brought up the issue of victim notification for offenders being housed in Federal prison that have the possibility of being released in the State of Michigan without any victim notification. The offender is not recognized in the MDOC electronic database unless the MDOC has physical custody of the offender. DCA Matson will contact the Automated Data System Section within the MDOC to determine if the department’s electronic database could be modified to include victim information, thus producing a victim notification when the offender is released.

• DCA Matson to send monthly statistics to State Council members.

• DCA Matson to implement procedures within the Interstate Compact Unit to track probation extraditions.

Next Meeting: Tentative – May 10, 2012 2 p.m.