Mississippi State Council
Interstate Compact for Adult Offender Supervision
(ICAOS)
Minutes by: Demetrice Hill
May 27, 2008

Attendees: Commissioner Christopher Epps, Chairman
          Lora H. Cole, DCCC
          Attorney Jane Mapp, MDOC
          Richie Spears, Division Director Interstate Compact
          CCD Lee McTeer, Region I
          Sheriff Willie March, Holmes Co.
          Judge Jannie Lewis, Holmes, Yazoo & Humphries Co.

Welcome and introduction -------------------------------Commissioner Epps

Meeting called to order at 10:25 a.m. on Tuesday, May 27, 2008 by Christopher Epps.

* A brief overview of the purpose of Interstate Compact was present at this time by Commissioner Epps…..in 1937 Interstate Compact was established, so offenders convicted in another state could possibly be transferred back home. This is a support system for the family. Compact allows most offenders to get out of jail and helps reunite offenders and their family.

* Looking to possibly build a restitution Center in Hinds Co.

* Gave an update of the MDOC attorneys: Leonard Vincent, Jim Norris, Jane Mapp and David Scott.

Advisory Opinions -------------------------------------------Jane Mapp

1. Pennsylvania – Sex Offender – Mandatory Transfer
   (Q) Could the receiving state require the sending state to give an explanation of the offender’s crime? The receiving state requests this information for domestic violence and sex offenders so they will know the location and age of the victim when going out to investigate the residence plan, to assure that the offender will be in full compliance and the victim is not in any further danger.

   (A) Commissioners reply: The offender being a resident of the receiving state is only one part of the mandatory requirements. They must also meet the home plan requirements as well so yes the receiving state can request additional information.
   * Jeff Beard is the commissioner of Pennsylvania and can be contacted with any problem per Commissioner Epps.

2. Massachusetts / New York – Retaking
   (Q) New York would like to know if the offender has one (1) significant violation in the receiving state and two (2) significant violations in the sending
state can those be combined to total three significant violations and the sending state be made to retake the offender.

(A) No, once the offenders transfer is accepted, it is accepted because the offender is in complete compliance with the mandatory rules of transfer and the offenders violations are swept clean, so the offender must have three (3) significant violations before the receiving state can demand the sending state to retake the offender.

(Q) Massachusetts would like to know if the offender violates and the sending state retakes the offender but then resubmits the transfer material and he is accepted can the receiving state keep the old violations from the previous acceptance.

(A) No, once the offender is accepted for the second time his violations start over, because he is in complete compliance with the mandatory compact rules.

3. Massachusetts – Sex Offender – Reporting Instructions

(Q) Can the receiving state ask for details of the crime and if the same transfer rules apply to sex offenders as well as ordinary offenders and if so why do they have five (5) business days to respond on sex offenders and two (2) business days for other offenders.

(A) In January 2008 a new sex offender rule came into play and must be followed. Reporting instructions for a sex offender have to be investigated before and answer is given so this is why more days are needed to make sure the resident plan is suitable and that the offender will still be in complete compliance once he arrives. The reporting instruction once approved allows the offender to proceed to the receiving state and be present while the investigation is in progress; this has to be approved be the receiving state before the offender will be allowed to proceed.

(Q) Can a state deny the offender if they can not comply with a requirement and does compact override state laws?

(A) No, but the receiving state must notify the sending state of the conditions that they can not comply with and it is then up to the sending state as to whether or not they will allow the offender to proceed to transfer his supervision to the receiving state. Yes compact does override sending state laws, as long as the offender remains in the sending state he can comply with their rules but once given permission to leave he must comply with the receiving state laws.

*There were no court cases or lawsuits.*
Bench Books for Judges and State council Members’ Reference-----------Lora Cole
  * Gave Sheriff March a Bench Book and gave details of what the book consists of and updated it with the 2008 rules.

  * New rule – Rules would only be changed every two (2) years.

  * Sex Offenders – All travel permits are signed by Lora Cole. They can’t leave the state unless death of a parent or medical treatment (that is not available in the state of MS). No travel permit will be signed without approved reporting instructions from the receiving state.

Nominee by Chairman Epps for Commissioner’s Designee--------------------------
  * Nominee – Lora Cole
  * Motion by McTeer
  * Second by Mapp
  * All were in favor for Cole to attend the meeting in Palm Springs, CA if Epps could not.

2008 Rule Changes (Sex Offender) ---------------------------------------------- Richie Spears
  * Explained new rule for sex offender and the process of reporting instructions.

General Discussion
  * Richie Spears would get with Sherriff March about Offender Kirk Boyd MDOC #133430 and update Lora Cole.

  * (Q) Commissioner Epps wanted to know if there was a problem getting warrants?
  * (A) McTeer answered saying that the warrants were not the problem but the states do not want to pick the offender up before the hearing etc.

  * Commissioner Epps stated that every region will have a medical doctor 8 hours a day soon, and the medical records will be computerized in the near future.

  * Sherriff March would like to know if there is a way that offenders can learn a trade through job corps in Crystal Spring? Mrs. Cole stated that they would check on it once Sheriff March gives her the contact name and number.

  * Commissioner Epps stated that there are three bills being worked on one being a medical, another dealing with inmates with different sentence dates being considered for house arrest and the last being those inmates who were sentenced before 2005 being scheduled for a parole hearing.

Meeting Adjourned at 12:10 p.m.