Nevada State Council for Interstate Adult Offender Supervision
Meeting Agenda

January 28, 2014
12:00 PM PST

215 E. Bonanza Road, Las Vegas, NV 89101

Call to Order (Action)

Roll Call (Action)

Approval of Agenda (Action)

Approval of Minutes of Previous Meeting (Action)
  • July 23, 2013 (Action)

Discussion
  • Interstate Compact rule changes effective March 1, 2014
  • Dispute Resolutions / Status
    o California
  • Status on realignment of Nevada interstate operations

Public Comments and Discussion (Discussion) No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

Old Business (Action)

New Business (Action)

Adjourn (Action)

NOTICE OF PUBLIC MEETING
of the
NEVADA STATE COUNCIL FOR INTERSTATE ADULT OFFENDER SUPERVISION

The Nevada State Council for Interstate Adult Offender Supervision will conduct a public meeting on January 28, 2014, at the Nevada Department of Public Safety, Division of Parole and Probation, at 215 E. Bonanza Road, Las Vegas, Nevada, 89101.

The public is invited to physically attend the meeting at this location. The meeting is scheduled to commence at 12 p.m.

Included in this post is an agenda of all items scheduled to be considered. Unless otherwise stated, items may be taken out of the order presented on the agenda at the discretion of the chairperson.

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please contact Ms. Lynda Waskom at (702) 486-0918 for assistance.

Public comment may be limited to ten minutes per person at the discretion of the chairperson.

In accordance with NRS Chapter 241, Meetings of State and Local Agencies, written notice is being given that the Nevada State Council for Adult Offender Supervision will meet as indicated on this agenda. As addressed specifically in NRS 241(3)(a), a copy of this notice will be posted at Nevada Division of Parole and Probation Offices at the following locations by at least 9 a.m. of the third working day prior to the scheduled meeting:

215 E. Bonanza Road, Las Vegas, NV 89101
475 Valley Road, Reno, NV 89512
119 E. Long Street, Carson City, NV 89706
1445 Hot Springs Road, Suite 104, Carson City, NV 89706
145 Keddie Street, Fallon, NV 89406

3920 Idaho Street, Elko, NV 89801
3505 Construction Way #5, Winnemucca, NV 89445
1539 Avenue F, Suite #2, Ely, NV 89301
1137 S. Erie Main, Suite B-4, Tonopah, NV 89049
2250 E.Postal Drive, Suite #5, Pahrump, NV 89048
The Nevada State council for Interstate Adult Offender Supervision held a public meeting on January 28, 2014, beginning at 12:00 p.m., at 215 E. Bonanza, Las Vegas, NV 89101.

1. Call to Order

The meeting was called to order by Nevada Commissioner, Deputy Chief Kimberly Madris at 12:00 p.m.

2. Roll Call

Council members present included The Honorable Judge Scott Freeman; Senator David Parks; Victim Advocate Jennifer Olsen; Victim Advocate Rebecca Salazar; and Deputy Chief Kim Madris.

Council members not present included Assemblywoman Lesley Cohen and Ms. Marsha Kimble-Simms.

Guests present included National Office Representative Barno Saturday; Lieutenant Shawn Arruti, Sergeant Ruby Bledsoe, P & P Supervisor Staria French; P & P Specialist II Chris Thompson; P & P Specialist II Sharon Amie; P & P Specialist II Anna Paratore; P & P Specialist II Ashley Krisor; P & P Specialist II Machelle Leavitt; P & P Specialist II Kit Grotelueschen and MA II Lynda Waskom.

A Quorum was present.

3. Approval of Agenda

Deputy Chief Kimberly Madris called the meeting to order and asked everyone to review the meeting agenda. The Honorable Judge Scott Freeman moved to approve the agenda; Senator Parks seconded; the agenda was approved.

4. Acceptance and Approval of Minutes of July 23, 2013

Deputy Chief Madris asked that everyone review the minutes of the last meeting held on July 23, 2013. Judge Freeman moved to approve the minutes; Senator Parks seconded; the minutes were approved.
5. Discussion Items

Interstate Compact rule changes effective March 1, 2014

Lieutenant Arruti attended the ICAOS Annual Business Meeting in Boston, Massachusetts, in August, 2013, and provided an overview of the rule changes scheduled to take effect on March 1, 2014. There were three amendments made to the language in existing compact definitions and fourteen amendments to the rules.

- Compact time frames reflected throughout the rules were adjusted to reflect that “less than 30 days” will be counted as “business days” and “30 days or more” will be counted as “calendar days”;

- Veterans who are receiving medical or mental health services from the U.S. Department of Veterans Affairs will now be given special considerations for transfer under the Compact, under the new ICAOS Rule 3.101-1, to avoid disruption of care;

- Offenders extradited from one state to a detainer in another state may now be allowed to remain in the other state upon release from incarceration in that state while a transfer investigation is conducted, under ICAOS Rule 3.102, to minimize the back and forth movement of the offender and reduce the financial hardships that the offender and their family may experience when being required to return to the sending state;

- A state must now provide any documentation regarding prison discipline and mental health history for offenders who have been imprisoned for two or more years, under ICAOS Rule 3.107, so that a receiving state will have a better understanding of the offender and their treatment needs;

- Clarified that a sending state has ten business days to respond to a violation report when submitted by the receiving state under ICAOS Rule 4.109. Additionally, states must submit a Case Closure Notice within ten business days when the term of supervision has ended under ICAOS Rule 4.112;

- Clarified the authority of the sending state to retake or order the return of an offender at their discretion under ICAOS Rule 5.101. Also provided that an offender may not be retaken when he/she has a pending felony or violent crime in the receiving state, unless both states agree (ICAOS Rule 5.101-1) that it is in the best interest to require the offender be returned prior to disposition of the new charges;

- Amended the required handling of offenders during the violation process that are under supervision for violent offenses. Removed the mandate that violent offenders must be retaken following their first violation of any condition of supervision, ICAOS Rule 5.102. Each case will be individually assessed, rather than require an automatic retake based solely on being under supervision for a violent offense;

- Clarified that a receiving state should only be reporting “significant violations” when submitting a violation report and that sending states must either physically retake or order an offender’s return within 15 business days from the request by a receiving state to retake, ICAOS Rule 5.103. Additionally, the time frame for retaking was clarified, under ICAOS Rule 5.105;

- Clarified that any new conviction, either felony or misdemeanant, satisfies the probable cause requirement for an interstate offender and waives the need for an additional Probable Cause Hearing to be provided, under ICAOS Rule 5.108;
Amended the enforcement actions against a defaulting member state to allow the National Office to inform the defaulting state of potential penalties for continued non-compliance, ICAOS Rule 6.103.

Dispute Resolutions/Status California

The dispute originally submitted on January 7, 2013, Nevada v California, is still ongoing. We have seen a marked improvement in response time. At issue was the inability of the California Interstate Office to obtain compliance from their local jurisdictions on the processing of time sensitive compact transactions and with providing responses to violation reports in compliance with current ICAOS requirements. The National Office continues to work with California Interstate to bring their state into compliance with the requirements of the Compact.

Status on realignment of Nevada Interstate operations

The realignment of Interstate Compact Operations within the Division resulted in the reassignment of the Interstate Compact Specialist function from Parole and Probation Headquarters, in Carson City, Nevada, to the Southern Command in Las Vegas. A Specialist Supervisor and six Specialist II positions were assigned to Interstate operations. The positions were filled with individuals from within the Department of Public Safety or other state agencies. No layoffs occurred as a result of realignment and impacted personnel in Headquarters were reassigned to other sections of the Division’s operation. This realignment has allowed for Nevada to streamline interstate operations within the state.

6. Public Comment

No members of the public were present for comment.

7. Old Business

No old business to address.

8. New Business

No new business to address.

9. Adjournment

The next meeting will be scheduled for July 22, 2014, at 12:00 p.m.

Judge Scott Freeman moved to adjourn the meeting. Senator David Parks seconded. Meeting adjourned at 12:40 p.m.