Ohio
Interstate Compact State Council
October 9, 2002

Welcome/Opening
Director Wilkinson opened the first meeting of the State Council for Interstate Compact by welcoming members and thanking them for their participation on the council. He reiterated that the current compact has been in effect for almost 70 years making it extremely outdated. The new compact is legislation that has passed in 38 states to follow similar rules and guidelines established by a National Commission made up of compact administrators from each of these states. Director Wilkinson expressed to council members the importance of their role to the council.

Introductions of State Council Representatives
Harry Hageman, DPCS Deputy Director/Compact Administrator
Ellen Venteis, DPCS Superintendent
David Voth, Executive Director, Crime Victim Services
Vince Polito, President, Ohio Chief Probation Officer’s Association
Maria Cordonnier from Senator Jim Jordan’s Office
Mandy Adams from Representative Jim Hughes’ Office
Judge Burt Griffin, Cuyahoga County Common Pleas Court (Not in attendance)

Additional Individuals Present
(Employeees of the Interstate Compact Office):
Jean Patrick, Deputy Superintendent
Roger Wilson, Deputy Compact Administrator
Renate Ast, Deputy Compact Administrator
Traniece Morgan, Supervising Secretary

Historical Context / Background
Jean Patrick provided a history of the old compact, which was established in 1937 by an act of Congress. The initial compact agreement was intended to enhance public safety by tracking offenders between states and to encourage an offender to succeed by allowing them to live close to their family and employment. The number under compact supervision has increased drastically with over 250,000 offenders presently under supervision. With the increasing number of offenders under supervision, the mobility of offenders, and the lack of enforcement to ensure compliance or adequately address public safety, a new compact was needed. Ms. Patrick also played a video entitled “An Emphasis on Public Safety,” which details the history of compact and why the new compact is important.
Existing Rules / Regulations
Roger Wilson provided information on the existing rules and regulations of the old compact. The Probation and Parole Compact Administrator's Association (PPCAA) administer the existing compact rules. The sending state is the state where the crime originates. The receiving state is where the offender wants to go. The present standards call for mandatory acceptance if the offender is a resident of the receiving state, or has family in the receiving state, and has an offer of employment or visible means of support in the receiving state. The current eligibility criteria include felony conviction for a criminal offense. The sending state determines the length of supervision and the receiving state determines the risk level of supervision.

New Compact
Harry Hageman explained the new compact, which required 35 states to pass legislation. So far, 38 states have passed the new legislation. The new legislation can include only the new compact or both the new and old compact. Ohio's legislation includes only the new compact. We can amend the bill to include the old compact or we can make agreements with individual states that have not passed the new legislation or we can choose not to do business with these states.

The structure of the new compact includes a state council and a national commission. Each state has a council that is comprised of the compact administrator, representatives from judiciary, legislative, and executive branch of government, and a victim representative. The National Commission is comprised of the compact administrators from each state. The National Commission also includes representatives from the National Organizations of Governors, Legislators, State Chief Justices, Attorney Generals and crime victims. The National Commission will have a professional staff. The purpose of the Commission is to establish formal rules for all member states and enforce these rules, and to develop a national database to manage offender transfers. This calls for an increase in dues for states. Currently, Ohio pays $2,000 per year. Under the new compact the dues could increase to $35-40,000 per year.

Transition
The National Commission will hold its first meeting in November. Mr. Hageman will attend this meeting where more information should be available as to the timeline of transition to the new compact. The Probation and Parole Compact Administrator's Association developed a transition rule to help bridge the gap between the old and new legislation. Interactions between new and old compact members will be governed by the receiving state's compact rules. Offenders who were transferred under the old compact will abide by those rules until they are released or returned.
State Council
The primary role of the state council is to provide oversight, guidance, advocacy/education, and allow members input into the compact process. The council must decide the frequency of meetings and how formal/informal meetings should run.

National Commission
The National Commission will serve as the rulemaking body for the new compact. It will be made up of member states that will meet annually. The commission will have enforcement authority and will ensure consistency between states. The first meeting is November 18-20, 2002. During this meeting a chairperson will be established, executive committees will be set up and business rules will be developed. Council members engaged in a discussion about Ohio's level of participation. The council favors active participation and encouraged Mr. Hageman to pursue a committee position on the executive committee, the rules committee, or the technology committee.

Legal Issues
Ellen Venters provided information on the legal issues of the new compact. Under the new compact, the national commission has the authority to impose fines and fees on member states, provide remedial training and technical assistance, legal enforcement and suspension or termination of membership. There is also a mediation and arbitration component available to avoid lengthy and expensive judicial proceedings when conflicts occur between member states.

Closing Remarks & Discussion
Council members agreed that more information is needed prior to making any decisions/rules that impact Ohio. Members hope that the National Commission meeting in November will provide a proposal for the new compact.

General discussion involved issues of:
- Technology to include a database that generates reports; National Tracking System for offenders
- Education of new compact (Judicial Conference training sessions, County Probation Departments)
- Issues of compliance to new compact rules
- Further legislation to provide guidelines on how compact should be followed
- Victim Notification – whose responsibility is it to notify (receiving or sending state)
- Advocate for supervision limits (5 years is standard)
- Possible construction of a statute to instruct judges
• Returning offenders that fail to pay restitution
• Sex offenders-registration requirement, will other states enforce?
• Sentencing Commission Involvement
• Extradition issues
• Compact cases where child support is involved

The council agreed to meet again in late January or early February. For the next meeting, members should think about:
• The operations aspect of the council: Frequency of meetings, Governing Rules for council, Voting – Quorum/Designees, etc.
• Education of new compact - Ideas for providing training of the new compact
• Setting Rules for Ohio

At the conclusion of the general discussion the meeting was adjourned. The next meeting will be determined after the meeting of the National Commission.