Oklahoma State Council

October 23, 2009
10:00 AM
Community Corrections
3700 N. Classen Blvd., Suite 110
Oklahoma City, OK 73118

Type of Meeting: Interstate Commission for Adult Offender Supervision Oklahoma State Council

Members:
Clint Johnson, Oklahoma Pardon and Parole Board-Chair
Tammie Bass-LeSure, Judge, Oklahoma County District Court
Marcia Smith, Executive Director, OCAVSA
Mark McCullough, Oklahoma State Representative
Anthony Sykes, Oklahoma State Senator
Trent Baggett, Oklahoma District Attorney’s Council
Craig Sutter, Oklahoma Indigent Defense System
Michael Evans, Administrative Director of the Courts
Milton Gilliam, Administrator Parole & Interstate Services/Commissioner

AGENDA

I. Opening & Roll Call
   • Introduction of New State Council Members
   Clint Johnson, Chairman

II. Approval of June 13, 2008 and November 21, 2008 Interstate Council Meeting Minutes
   Clint Johnson, Chairman

III. Parole and Interstate Services Update
    • Introduction of Parole and Interstate Compact Staff
    • Division and Unit Staffing Update
    Milton Gilliam, Commissioner

IV. ICAOS Update
    • National Database (ICOTS) Update-Online October 6, 2008
    • Oklahoma (ICOTS) Update
    • National Office Staffing Changes
    • Interstate Compact for Juveniles Update
    Milton Gilliam, Commissioner
    Frank Mesarick, Deputy Compact Administrator
V. Update on ICAOS Annual Meeting  Milton Gilliam, Commissioner
   November 2-4, 2009-Reno NV
   • Training
   • Voting on Rule Amendments

VI. Old Business  Clint Johnson, Chairman

VII. New Business  Clint Johnson, Chairman
   • Schedule Dates for 2010 Meetings
   • Election of Chair and Vice Chair

VIII. Adjournment

*The next regular meeting of the ICAOS Oklahoma State Council to be determined.*
I. Opening

Chairman Clint Johnson called the meeting to order at 10:00 a.m. with a welcome to those attending.

Members present at roll call.

Clint Johnson, Pardon and Parole Board (Chair)  
Mark McCullough, State Representative  
Marcia Smith, Victim’s Representative  
Anthony Sykes, State Senator  

Tammy Bass-LeSure, District Judge  
Craig Sutter, Ex-Officio  
Michael Evans, Ex-Officio  
Milton Gilliam, Ex-Officio

Calling of the roll reflected a quorum was present.

Guests:

Frank Mesarick, Deputy Compact Administrator  
Dan Reynolds, Assistant Deputy Director of Community Corrections

II. Introductions

Chairman Johnson welcomed all new members to the State Council. Each member of the Council gave a brief background statement.

III. Approval of Minutes-June 13, 2008/November 21, 2008

A motion was made by Mark McCullough to approve the June 13, 2008, minutes with a second by Marcia Smith. The minutes were approved as presented. Mark McCullough made a motion and Marcia Smith seconded to approve the minutes for the November 21, 2008, Council meeting. The minutes were approved as presented.

IV. Parole and Interstate Services Unit Update

The unit is allocated for nine staff members. Currently the staff is two members short due to resignation and early retirement. Both positions are clerical. Replacements for these staff are not likely at this time due to the statewide budget shortfall. Other unit members are assisting with the work and AARP workers are being used to stay current.
V. ICAOS Update

The implementation of the national interstate database, Interstate Compact Offender Tracking System (ICOTS), on October 6, 2008, has been helpful in streamlining the unit functions. Frank Mesarick gave a brief demonstration of the database and answered questions from Council members.

The Assistant Executive Director for the ICAOS National Office, Ashley Lippert has been hired as the Executive Director for the Juvenile Interstate Compact. Sam Razor, Program Manager for ICOTS has been hired as the new Assistant Executive Director for ICAOS. His former position will be incorporated into the other Information Technology staffs duties.

The Commission website is being reworked and will be kicked off sometime after the first of the year.

The ICAOS Annual Business Meeting will be held November 2-4, 2009, in Reno, Nevada. Rules are voted on every other year. This year there are thirteen rule amendments that will be voted on. Milton Gilliam presented each rule to the Council for discussion and a vote.

Rule 1.101 Definition of Supervision-The change in the definition would be that if the only requirement for the offender is monetary such as court costs, fines, or restitution this would not be considered supervision. This would make it consistent with Rule 4.108, which states collecting these court order costs is the responsibility of the sending state. Milton Gilliam recommends voting for the change. Council Vote-Yes

Rule 2.104 Forms-Clean up language to allow certain correspondence to be sent outside of ICOTS. Milton Gilliam recommends voting for the rule change. Council Vote-Yes

Judge Tammy Bass-LeSure requested that we review any controversial rules first because she may have to leave early due to a busy docket.

Rule 2.106 Offenders Subject to Deferred Sentences-This is a recommendation by a region to change the language from pre-trial intervention to pre-trial release. The justification states indicates that it is felt that this making the rule more clear and understandable. Milton Gilliam feels the change is not needed and recommends voting against the amendment. Council Vote-No

Rule 3.101 Mandatory Transfer of Supervision-If an offender has had three returns for violation within five years this rule change would allow the receiving state to treat this case as a discretionary case under rule 3.101-2. Milton Gilliam recommends voting no on this rule. If the offender meets the mandatory requirements they should be able to transfer to the location where they have a support system. This is not a consistent problem. Council Vote-No

Rule 3.101-3 Transfer of Supervision of Sex Offenders-The change in this rule would allow offenders living in the state whose current offense is not a sex offense to return to their home immediately after sentencing without allowing the receiving state time to investigate their
home offer. Milton Gilliam recommends voting no on this amendment. The amendment would conflict with the current ICAOS definition of Sex Offender. **Council Vote-No**

Rule 3.102 Submission of Transfer Request to a Receiving State-The amendment allows an offender to continue to travel across state lines during the course of the investigation in order to keep this job. The recommendation is to vote no to this amendment. The rules already allow for the sending state to request reporting instructions in order to get an offender to the receiving state to keep their job. **Council Vote-No**

Judge Tammy Bass-LeSure had to leave meeting due to a large docket. The Council still has a quorum.

Rule 2.110 This amendment is to be consistent with other ICAOS Rules on the method and time frame to return an offender to the sending state. Milton Gilliam recommends voting yes. **Council Vote-Yes**

Rule 3.104 This rule change is to allow an offender to remain in the receiving state on reporting instructions if a Transfer Request is denied because it is incomplete for a specified length of time. The recommendation is to vote yes. **Council Vote-Yes**

Rule 3.104-1 This amendment states that the receiving state shall assume responsibility for supervision of the offender as soon as they arrive. This language is present in other rules and the change is to make the rule consistent. The recommendation is to vote yes. **Council Vote-Yes**

Rule 3.107 This rule change makes the Offender Application for Interstate Compact Transfer form a mandatory requirement when submitting a transfer. The State of Oklahoma already includes this document and Milton Gilliam recommends voting yes on this change. **Council Vote-Yes**

Rule 4.106 This change establishes a time frame for when a Progress Report needs to be done when the receiving state request one other that the annual report. The recommendation is to vote yes. **Council Vote-Yes**

**VI. Old Business**

There was no old business.

**VII. New Business**

A discussion was held concerning dates for the 2010 State Council Meetings. The next meeting will be scheduled for January 22, 2010. The remaining two dates for the year will be decided during the next meeting.

Clint Johnson indicated that the election of the Chair and Vice-Chair for the next year will be conducted during the January meeting.
Adjournment

With no further business before the council, Chairman Johnson sought a motion to adjourn.

The meeting adjourned at 11:35 p.m.

Submitted by: ________________________________

Milton Gilliam

Approved by: ________________________________ Date: ________________________________

Clinton E. Johnson, Chairman