AGENDA
INTERSTATE STATE COUNCIL MEETING
MARCH 21, 2011

• Eastern Region updates
  o New region chair
  o Vacant Commissioner positions

• State Council membership status

• Interstate Compact Application Fee: Vote on fee amount and retention for PA counties

• Upcoming Interstate Compact Office Audit by National Office

• Rule Amendments effective March 1, 2011 (attachments: 1.) Sample notification letter, 2.) Article from Perspectives Magazine and 3.) Extradition Bond proposal)
  o Notifications to Associations; DA, PD, PA Bar, County Chief Probation Officers, AOPC to President Judges and Court Administrators
  o Trainings provided; County and PBPP
  o Summary of major rule and definition changes
  o County Extradition Bond proposal

• Proposed rules submitted by Eastern Region for consideration at the 2011 Annual Business Meeting (attachment: Proposed Sex Offender Rule)
  o Proposed Sex Offender Rule (submitted by PA)
  o Complete Transfer (submitted by NY)

• Rules Forum: Proposed rules for 2011 Annual Business Meeting-available for comment on ICAOS website

• Adjourn
Pennsylvania State Council  
Interstate Compact for Adult Offender Supervision  
March 21, 2011  10:00 a.m.

Attendees:

State Council Members  
Benjamin A. Martinez, Pennsylvania State Commissioner  
The Honorable Sheila Woods-Skipper, Judge, Philadelphia County  
Carol Lavery, Victim Advocate  
Gregg Warner, Counsel to Senator Greenleaf  
The Honorable Ernest DiSantis, Judge, Erie County  
Alison Taylor, Deputy General Counsel, Governor’s Office of General Counsel

Other Participants  
Kimberly Barkley, Board Secretary, PBPP  
Cynthia Daub, Deputy Executive Director, PBPP  
Colleen M. Fickel, Director, Bureau of Central Services, PBPP  
Kay Longenberger, Director, Interstate Parole Services, PBPP  
Margaret E. Thompson, Director, Interstate Probation Services, PBPP  
William McDevitt, Director of Probation Services, PBPP  
Linda Laub, Acting Chief Counsel, PBPP  
Richard Podguski, Director, Bureau of Re-Entry, PBPP  
Matthew Reed, Parole Manager, Interstate Probation Services, PBPP  
Dawn Blaska, Parole Manager, Interstate Probation Services, PBPP  
Leo Dunn, Assistant Director, Office of Policy, Legislative Affairs, and Communications, PBPP

Commissioner Benjamin Martinez called the meeting to order at 10:03 p.m. and took roll. A quorum was established. Mr. Martinez introduced the participants and referred to the agenda for items.

Mr. Martinez advised that he is now the Eastern Region Chair as a result of the vacancy created in Massachusetts with the resignation of their parole board chair.

Mr. Martinez commented that of the nine members of the State Council, seven are gubernatorial appointments. Those terms will expire on March 30, 2011, but there is a 90-day extension expected. Most members have indicated a willingness to serve again.

Mr. Warner moved that the fiscal year 2011 Interstate Compact for Adult Offender Supervision Application Fee, be set at a transfer fee of $100, with 100% retention by the county when the county collects that fee. Judge DiSantis seconded the motion. After brief discussion, Mr. Martinez called for a vote. All were in favor and there were no objections, and the motion passed unanimously.

Mr. Martinez advised that the ICAOS National Office will be performing an “instructional” audit on a random selection of Pennsylvania’s ICOTS cases and users, and advising the results. This is expected to happen in April 2011.
Ms. Thompson and Ms. Longenberger advised the group on new amendments to the Compact rules which took effect on March 1, 2011. They sent letters, outlining the changes, to the professional associations of Pennsylvania’s district attorneys, public defenders, county chief probation officers, president judges, court administrators, and the bar association.

Mr. Martinez advised that Fayette County sought the Council’s opinion on having Compact-eligible offenders post an extradition bond prior to allowing them to transfer supervision. After discussion and advice from Acting Chief Counsel Laub, it was decided that the Council had no authority to provide an opinion or guidance on this topic, and that any county desiring to implement an extradition bond should consult with their county or court solicitor.

At 10:44 a.m., Judge Woods-Skipper joined the meeting.

Mr. Martinez spoke about two proposed rules that will be discussed at the 2011 Annual Business Meeting. PA has proposed amendments to the sex offender rule to facilitate transfer of supervision for sex offenders returning to their residences. NY has proposed a Complete Transfer, whereby jurisdiction over a probationer is transferred from the courts of the sending state to the courts of a receiving state. The Complete Transfer rule has spurred much discussion at the national level. The rules committee referred it to the ICAOS legal counsel, who wrote a memo opining that the Commission lacks the legal authority to implement such a rule. As such, the rules committee withdrew its support for the Complete Transfer, which will likely create a significant impasse for the passing of this proposed rule. Further discussion on all proposed rule changes is available on the Commission’s website.

Ms. Fickel asked Mr. Martinez, who is now on the ICAOS Executive Committee, to investigate the relationship between Appriss (the vendor responsible for ICOTS) and ICAOS. Mr. Martinez advised that he will follow up on Ms. Fickel’s request.

There was no further business, and Mr. Warner moved to adjourn. Judge Woods-Skipper seconded the motion, which was then passed by unanimous vote. The meeting ended at 11:26 a.m.