Pennsylvania State Council
 Interstate Compact for Adult Offender Supervision
 APRIL 02, 2013, 1:00 p.m.

Attendees:
State Council Members
Michael Potteiger    PBPP Chairman and PA Interstate Commissioner
Christopher Carusone  Executive Branch
Ernest DiSantis    Judge, Erie County
Carol Lavery     Victim Advocate
Jill Rangos   Judge, Allegheny County
Sean Ryan     Chief Adult Probation Officer, Bucks County
Gregg Warner (Greenleaf)  Proxy for Senator Greenleaf
Todd Stephens  State Representative

Other Participants
Colleen Fickel    Bureau Director, Central Services
William McDevitt Bureau Director, Court Services
Charles Eckert   Manager, PA Interstate Parole
Margaret Thompson Director, PA Interstate Probation
Leo Dunn Office of Policy, Legislative Affairs & Communications
Barbara Christie Chief Counsel, PBPP
Alan Robinson Deputy Chief Counsel, PBPP
Christine Shenk  Bucks County Adult Probation
Matthew Reed    Manager, Interstate Probation
Dawn Blaska Manager, Interstate Probation
Ashlee Goodling Clerical, Interstate Parole Division
Dave Meas    Clerical, Interstate Probation Division

Review and Approval of April 30, 2012 Minutes
Minutes from the previous State Council Meeting of April 30, 2012 were reviewed. The minutes were agreeable to those present. Minutes were approved unanimously.

Interstate Transfer Application Fee: Amount and County Retention Vote
The fees collected are used to pay Pennsylvania’s ICAOS membership dues of approximately $37,000. The cumulative collections by PBPP from 2006 through the end of 2012 totaled over $500,000. This amount included approximately $80,000 from the time when PBPP retained a percentage of the county fees. A handout of the AOPC money assessed and disbursed to the counties over the last 3 fiscal years was reviewed.

The main disparity in the high collections of PBPP with the county collections is that the state offenders pay up front where the county offenders pay through AOPC and it is one of the last fees collected. Representative Stephens questioned whether or not there had been a policy change as the money fluctuates significantly from year to year in several counties. No one was aware of any policy changes. Colleen Fickel responded that since money collected by AOPC is disbursed to restitution before
application fees, some counties may show a lower collection rate of application fees even though it was assessed.

Gregg Warner (proxy: Senator Greenleaf) wondered if the money ties into the Office of Victim Advocates.

Motion made to keep the fee at the $100.00 amount and 100% to be retained by the county, motion seconded and passed unanimously.

Eastern Region Update
Chairman Potteiger commented that he had met with other commissioners in the region and is trying to take a more active role in matters of mutual interest, including proposed rule amendments. It was noted that the only state in the region currently without a Commissioner is CT.

ICAOS State Profile for PA
The group reviewed the 2012 ICAOS PA State Profile for informational purposes. The profile lists the highest sending and receiving states, the most common offenses and the most common reasons for transfer. The numbers indicating that PA sends more cases to NJ and NY than PA receives was surprising to several members since many expected it to be the other way around.

PA ICAOS 2013 Audit Results
PA was randomly audited by the ICAOS National Office in February 2013. Passing marks were received for deleting duplicate offender files in ICOTS, maintaining accurate ICOTS User files, providing reporting instructions no later than two business days, completing investigations within 45 days following receipt of a completed transfer request, submitting notices of departure when offenders depart and submitting responses to violation reports by the 10th business day following receipt of the Offender Violation Report.

PA scored below 80% compliance for submitting Case Closure Notices on the date of expiration, submitting Notices of Arrival when the offender reports or fails to report and submitting Progress Reports annually or within 30 days of request.

Adam Walsh Review of Interstate cases
Since the implementation of the Adam Walsh Act in PA, all sex offenders under PBPP supervision have been reviewed for compliance. Incoming cases were reviewed with notification to the field agents to register them for Megan’s Law when deemed necessary. PA sex offenders currently under compact supervision in other states were mailed a letter advising them of the changes in PA law that would require them to register if they were to return to PA.

Retaking Issue Update
Margaret Thompson updated the group on compact cases where PA was required to retake violators. Nearly half of the mandatory retakes were for absconder cases. Interstate staff continues to assist counties in identifying mandatory retake cases and monitor for the issuance of warrants.

At the annual business meeting in August 2013, commissioners will review and vote on proposed rule changes to the violation/retaking rules that may ease the number of mandatory retakes, if passed.

2013 Rule Proposals
The attendees decided not to pursue revamping the PA proposal to the sex offender rule at this time because of lack of interest from other states.

The two misdemeanor rule proposals (2.105) were discussed and the consensus was that neither of the proposals would be helpful to PA. One proposal would change the amount of time remaining for a misdemeanor to be eligible from one year or more to 25 months which would make it even more difficult to transfer county cases.
Allowing time beyond the maximum expiration date for submission of a Case Closure Notice (4.112) was thought to be beneficial and may help PA on the audit for that standard.

There was discussion that the language in 5.108, Probable Cause Hearing rule, should be more closely aligned with the language of Gagnon.

**ICAOS Training Committee Updates**
Margaret indicated that there are WebEx trainings once a month except for one or two months out of the summer. The Commission offers a 3 hour general rules trainings and shorter trainings that drill down to specific rules and their application.

**ICOTS Updates**
A new ICOTS violation report process is going to be implemented in May 2013 with enhancements that should be more user friendly and that guide the user to specific screens in the system based on answers given to questions asked.

The National Office is working with APPRISS to create a program called Vine Watch for victims similar to Vine Link that will notify registered victims as to any changes in activity of the offender.

**Old Business**
The matter of issues with GA not issuing warrants and/or retaking offenders was taken to the National Office for intervention. GA responded through the National Office and the issue was resolved. GA has a new DCA and Commissioner and they have made many improvements that have increased their compliance significantly.

**New Business**
The next annual business meeting is in Boston, MA at the end of August.

Motion to adjourn and seconded. Meeting ended at 14:25.