STATE COUNCIL MEETING AGENDA
INTERSTATE CORRECTIONS COMPACT
February 17, 2005
10:00 AM to 11:00 am

TELECONFERENCE
(605-773-6147)

The state council is made up of the following:

Chairperson Senator J.P. Duniphan, R-Rapid City;
The Honorable Jim Tucker, Judge, Third Circuit Court;
Doug Weber, Interim Secretary of Corrections;
RoAnn Redlin, SD Coalition Against Domestic Violence;
Brian Zeeb, Division of Criminal Investigation;
Ed Ligtenberg, Executive Director of the Board of Pardons and Paroles; and
Keith Bonenberger (temporary), Deputy State Court Administrator.

Meeting Agenda

I. Welcome/Introductions/Review Agenda

II. National Meetings Update
   a. Executive Teleconference - December 13, 2004
   b. Executive Committee Meeting - October 25, 2004

III. Update On Training

IV. Review of ICAOS Advisory Opinions
   a. Including NCIC Criminal History with Compact Transfer Applications
   b. Community Supervision For Life transfers our of New Jersey
   c. Rejection of transfers based on outstanding warrants
   d. Pennsylvania vs. New York
   e. ICAOS vs. Tennessee
   f. Georgia, Oregon, New York vs. Tennessee
   g. Temporary Travel
   h. Pennsylvania vs. Oregon
   i. Supervision of Massachusetts offenders
   j. Deferred Sentences

IV. Open Forum/General Discussion/Question & Answer
INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

South Dakota Council for Interstate Corrections Compact
via Conference Call
10:00 a.m. to 10:30 a.m.(CST)
February 17, 2005

A conference call was held on February 17, 2005 with the following present:

- Senator J. P. Duniphan, Chair
- Keith Bonenberger, Member
- Judge Tim Tucker, Member
- Doug Weber, Interim Secretary of Corrections
- Ed Ligtenberg, Member
- David Geffre
- Kathleen Bongers

The meeting was called to order by Chair Senator Duniphan at 10:00 a.m. Senator Duniphan called for a roll call and subsequently made note that a quorum is present.

National Meetings Update: Minutes of the meetings in October 25, 2004 and December 13, 2004 have been made available to members before the teleconference. Ed Ligtenberg called attention to the technology developments. The new compact system is web based. Alan Hall and Keith Bonenberger were able to have input in the design of the database. It is planned that this paperless system will be implemented by July 2005.

Training Update: David Geffre and Keith Bonenberger reported that training in both East River and West River was completed in August. Both were of the opinion that it went very well. A bench book for judges will be completed soon. There is a judge’s conference in May at Chamberlain. There is a possibility that there will be an opportunity to address them at that time. This would be a good time to meet with them and answer any questions they may have.

Review of ICAOS Advisory Opinions: This information was provided to members before the teleconference. A major difference between the old compact and the new one is that the new compact provides for an enforcement mechanism.

The opinion on the inclusion of NCIC with compact application is that yes, they can be included.

New York wants to refuse sex offenders from New Jersey. The Directors say that this is required. Transfer cannot be refused based on that alone.

States cannot reject transfers based only on the fact that they have outstanding warrants.

The acceptance of misdemeanants is still a major issue because of the differences between the states. The Rules Committee is trying to come up with a national standard.

Tennessee has been refusing sex offenders if a psychological report is not included. This is not a part of the compact rules. The commission has voted to sanction if they do not comply
with compact rules. This would be a financial sanction. Tennessee would also then be liable for the compact’s attorney fees and costs.

Temporary travel permits can be granted in emergency situations. However, the new rules dictate that a travel permit cannot be issued to a pending transfer case without the receiving state’s approval.

Pennsylvania vs. Oregon has to do with extradition issues.

Massachusetts and the Virgin Islands are not part of the new compact. At this time, they can still transfer through the old PPCA. Soon that will cease. At that time, Massachusetts will no longer be able to transfer. They may wish to join at a later date. If so, the commission is discussing issues such as imposing an initial fee and retroactive dues.

As to the issue of deferred sentences, this is covered under the compact. If there is a finding of guilt, those offenders are eligible for transfer.

J. P. Duniphan expressed approval regarding the information sent out prior to the teleconference. Tim Tucker stated his appreciation for the fact that our state has been involved in the national commission.

Motion was brought by Keith Bonenberger to adjourn; seconded by Tim Tucker. All members voting aye; the meeting adjourned at 10:30 a.m.