A conference call was held on October 23, 2003, commencing at 11:00 A.M., with the following present:

Senator J. P. Duniphan, Chairman
Keith Bonenberger, Member
RoAnn Redlin, Member
Judge Tim Tucker, Member
Tim Reisch, Secretary of Corrections
Ed Ligtenberg, Member
David Geffre
Kathleen Bongers

The meeting was called to order by Senator Duniphan. It is noted that the minutes from the last meeting have been sent to members and will be approved at a subsequent meeting.

Senator Duniphan then turned the meeting over to Ed Ligtenberg.

Mr. Ligtenberg stated that the purpose of this meeting is twofold. First, that statute requires that the council meet twice a year and this seemed an appropriate time to conduct the meeting. He will be attending the commission meeting in Arkansas November 1, 2003 through November 5, 2003. And that is the second reason for the meeting. He wishes to gather input from the members as to any recommendations or questions which he should take to that meeting. The meeting in Arkansas will involve discussion and finalization of the rules.

Discussion ensued as to whether or not the proposed changes in rules will have a significant effect on the way things are currently done. Mr. Ligtenberg stated that for the most part, the changes will not significantly affect the parole side. He wanted to know if the judicial side would be significantly affected.

The point that might be most affected would be in regards to misdemeanants. Judge Tucker questioned if a state can refuse to supervise cases which would not be supervised if the crime occurred in this state. He expressed concern that the court services officers already have a heavy work load and wanted to avoid overload with cases which would not be supervised in this state under similar circumstances. They do very little supervision of misdemeanants. Usually only in the border area of Sioux City where an individual might be living or working in the other state.
The issue was also raised of the time allowed. If a state is asked to supervise someone for example for 60 to 90 days, by the time everything is approved the individual could be discharged or there would be just a very short period of supervision.

Keith Bonenberger asked if there is a list of the types of crimes which we do not supervise. It is necessary to supervise domestic violence cases. However, most misdemeanors are not supervised.

Another issue is that what is a misdemeanor is one state may be considered a felony in another state.

Rules will be finalized at the Arkansas meeting in November. This will be the main focus of the meeting. There will also be an opportunity for public testimony at the meeting.

There was discussion surrounding the issue of travel permits which can create problems. Sometimes, by the time the receiving state has the travel permit, the individual has already been to your state and returned to their own. It is impossible to supervise or to inform law enforcement if you are not aware the individual is in your state until after they have gone.

This is a big issue which needs to be addressed, but will probably not be dealt with at the Arkansas meeting. The rules will be the big priority at this meeting.

Senator Duniphan stated the group will meet in January in Pierre. A specific date will be set later. Also a reminder to send the minutes to the Legislative Research Council.

Ed Ligtenberg made a motion to adjourn the meeting, seconded by RoAnn Redlin. All members voting aye; the motion carried. The meeting adjourned at 11:25 A.M.