STATE COUNCIL MEETING AGENDA
INTERSTATE CORRECTIONS COMPACT
November 20, 2006
1:00 PM to 2:00 PM (CST)
TELECONFERENCE
(605-773-2303 then 2100)

The state council is made up of the following:

Chairman J.P. Duniphan, R-Rapid City
The Honorable Jim Tucker, Judge, Third Circuit Court
Tim Reisch, Secretary of Corrections
Brian Zeeb, Division of Criminal Investigation
Ed Ligtenberg, Executive Director of the Board of Pardons and Paroles
Nancy Allard, Director of Trial Court Services.

Meeting Agenda

1. Review / Approve February 2006 minutes

2. RoAnn Redlin resignation

3. National Meetings Update / Budget

4. Regional Meetings Update

5. Compliance Committee Report
   a. OH v. PA Complaint
   b. OH v. TX Complaint

6. 2006 Rule amendments

7. ICAOS Advisory Opinions
   a. Region Members Casting Votes
   b. Rule 3.104 - Time allowed for investigation by receiving state, Rule 4.101 - Manner and degree of supervision
   c. Rule 3.101 - Clarification of 90 day period of supervision is determined.
   d. Rule 2.105 - Determination of second or subsequent misdemeanor DUI offense.
   e. Rule 3.101-2 - Condition obligating offender to complete residential program.
   f. Rule 2.110 - An offender being in the receiving state prior to investigation as a valid reason for rejection.
   g. Rule 5.103 - Offenders transferred under the compact prior to August 1, 2004.
   h. Rule 4.112 - Closing supervision by the receiving state.
   i. Rule 5.101 - Clarification on Retaking by the sending state.
   j. Rule 4.107(b)(2) - Clarification on Offenders being charged fee by sending state after transferred to receiving state.
   k. Rule 3.101 - Obligation of the sending state when the offender no longer meets requirements.

8. NACIS (National Adult Compact Information System)

9. Open Forum/General Discussion/Question & Answer
INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION
STATE COUNCIL MEETING MINUTES
NOVEMBER 20, 2006
1:00 PM TO 2:00 PM (CST)
TELECONFERNCE

Present
Chair, Sen. J.P, Duniphan, Rapid City
Ed Ligtenberg, Exec. Director of Board of Pardons & Paroles
Tim Reisch, Secretary of Corrections
The Honorable Tim Tucker, Third Circuit Court Judge
Brian Zeeb, Division of Criminal Investigation
Nancy Allard, Director of Trial Court Services

The meeting was called to order by Chair Senator Duniphan at 1:05 pm and noted that a quorum was present.

1. **Review/Approve February 2006 Minutes**
   The meeting minutes were reviewed with no additions/corrections noted. Motion was made and seconded to accept the meeting minutes and the motion passed unanimously.

2. **RoAnn Redlin Resignation**
   The Council was advised of RoAnn’s resignation.

3. **National Meeting Update – Ed Ligtenberg**
   Ed Ligtenburg reported on the Annual Business Meeting held in Phoenix Arizona on October 4-5, 2006. The Annual Business Meeting minutes were dispersed to the membership. He advised that David Geffre was able to attend the meeting. He noted the value of being able to attend the meetings and meet other Compact Administrators from across the country. He discussed the importance of development of a networking group and the benefits this offers. He also reported that NACIS (National Adult Compact Information System) was temporarily on hold due to contract issues with the provider. The hope is that these issues will be resolved in the near future to allow the project to move forward.

4. **Regional Meetings Update – Ed Ligtenberg**
   Ed gave an overview of the Mid-West Regional Meetings held in 2006. The October 4, 2006 Mid-West Region Annual Report was provided to the membership.

5. **Compliance Committee Report –**
   The Council reviewed the formal complaints of OH v. TX and OH v. PA. The Compliance Committee to the Interstate Compact Commission recommended that Texas be found in default of the Compact pursuant to Rule 6.103 due to its violation of ICAOS Rule 2.110 in the matter of the complaint received from Ohio. 3-2006, in that Texas allowed an offender to reside in the state of Ohio, without any
notification of, or authorization by the State of Ohio. They also recommended that Pennsylvania be found in default of the Compact pursuant to Rule 6.103, due to its violation of ICAOS Rule 2.110, in the matter of the complaint received from Ohio 3-2006, in that the state of Pennsylvania allowed two offenders to remain in the state of Ohio without the consent of the state of Ohio. The Council reviewed the recommended Corrective Actions Proposed of the Committee.

6. **2006 Rule Amendments – Dave Geffre**

Dave Geffre reviewed the several Rule Amendments that passed and will become effective on January 1, 2007.

Amended Rules are as follows (please refer to printed text of actual rule changes contained in meeting binder):

- **“Relocate” definition change**
  - Rule 2.109 Adoption of rules; amendment
  - Rule 3.101 Mandatory transfer of supervision
  - Rule 3.101-1 Mandatory Transfers of Military, Families of Military, and Family Members Employed
  - Rule 3.103 reporting Instructions; Probation Exception to Rule 2.110
  - Rule 3.104-1 Acceptance of offender; issuance of reporting instructions
  - Rule 3.106 Request for expedited reporting instructions
  - Rule 4.103-1 Effect of special conditions or requirements
  - Rule 4.109-1 Authority to arrest and detain
  - Rule 5.102 Mandatory retaking for a new felony conviction
  - Rule 5.103 Mandatory retaking for violations of conditions of supervision
  - Rule 5.108 Probable cause hearing in receiving State of South Dakota Rule 5.111
  - Denial of bail to certain offenders

7. **ICAOS Advisory Opinions**

The Council’s attention was drawn to several new Advisory Opinions by the Commission. The Advisory Opinions are as follows (Please refer to the Advisory Opinions as contained in full within the meeting binder):

- a. Region Members Casting Votes
- b. Rule 3.104 – Time allowed for investigation by receiving state, Rule 4.101 – Manner and degree of supervision
- c. Rule 3.101 – Clarification of 90 day period of supervision is determined
- d. Rule 2.105 – Determination of second or subsequent misdemeanor DUI offense.
- e. Rule 3.101-2- Condition of obligating offender to complete residential program.
- f. Rule 2.110 – An offender being in the receiving state prior to investigation as a valid reason for rejection.
- g. Rule 5.103 – Offenders transferred under the compact prior to August 1, 2004.
h. Rule 4.112 – Closing supervision by the receiving state.
i. Rule 5.101 – Clarification on Retaking by the sending state.
j. Rule 4.107(b) (2) – Clarification on Offenders being charged fee by sending state after transferred to receiving state.
k. Rule 3.101 – Obligation of the sending state when the offender no longer meets requirement.

8. **NACIS (National Adult Compact Information System)**
   Ed Ligtenberg advised that due to contract issues this has been delayed. Nancy advised that she had visited with Mindy Spring about the status of the issue for preparation purposes. Mindy advised Nancy that they hoped to have a solution to the contract issues in the near future.

9. **Open Forum/General Discussion/Question & Answer**
   There were no additional questions or discussion.

Motion was made and seconded to adjourn. The Meeting was adjourned at 1:40 p.m.