MINUTES OF THE
Council for Interstate Adult Offender Supervision
November 12, 2002

Present
Ed Ligtenberg, Executive Director of the Board of Pardons and Paroles
Dallas Johnson, Deputy State Court Administrator
Tim Tucker, Circuit Judge
J.P. Duniphan, State Senator
Roanne Redlin, S.D. Coalition Against Domestic Violence
Brian Zeeb, Division of Criminal Investigation
Also present were Laurie Feiler, DOC; David Geffre, DOC; Annie Mertz, LRC; Lisa Chamley, Capital Journal

Welcome/Introductions/Review Agenda (Ed Ligtenberg and Dallas Johnson)
For more information, Ed suggested checking the Parole and Probation Compact Administrators’ Association (PPCAA) website at PPCAA.net. He said there are over 4 million offenders on probation and parole in the US today. 250,000 will cross state lines this year.
Dallas said that in South Dakota, parole supervision is under the DOC while probation supervision is a part of the UJS.

History of New Compact (Laurie Feiler)
Since 1937 South Dakota has had a reciprocal agreement among states, a compact, to exchange parolees and probationers and continue their supervision. The 1937 compact was little more than a gentleman’s agreement, and problems arose because of slow and unreliable exchange of case information, no standard procedures for processes like sex offender registration and victim notification, and no structure to enforce compliance.
In 2001, the South Dakota Legislature passed a bill (SB 28) authorizing South Dakota’s participation in the 1998 Revised Interstate Compact for Adult Offender Supervision (Revised Compact) as soon as 35 states had joined.

Governor’s Executive Order
In August 2002, when 39 other states had joined, Governor Janklow signed an Executive Order establishing the South Dakota State Council for Interstate Adult Offender Supervision (Council) to develop policies concerning the compact and oversee the state’s participation in compact activities. The Executive Order also provided that:
   - The Executive Director of the Board of Pardons and Paroles is the Compact Administrator
   - The Council will meet twice a year
   - DOC will administer the Council
The old compact will be repealed one year after the date of the first commission meeting – possibly in July of 2003.

Interstate Compact Commission
The Interstate Compact Commission (Commission) is the governing body at the national level comprised of members from each participating state’s council. The voting members are the compact administrators from each state. The Commission will create an administrative structure that will hold member states accountable for compliance. The Commission will develop and implement rules that will govern the Compact and will develop a way to identify, track and account for the controlled movements of offenders. Ed will attend the Interstate Compact Commission meeting in Scottsdale, Arizona later this month. His costs are included in the Commission’s budget. Ed suggested that Dallas attend future Commission
meetings also, and Dallas’ travel and per diem costs would need to be paid by the state. Ed indicated that some of the issues on the Scottsdale agenda are lack of enforcement powers, a common database, public awareness and training and education. As to training and education, the Council’s consensus is that the Commission would be better served by creating their own training arm rather than using PPCAA. The Council discussed ideas about where Commission headquarters should be located. Ed asked what committees the Council would like him to be involved in. It was agreed that Ed should serve on those committees in which he is most interested and those he feels would best serve the state.

**Fiscal Note/State Financial Assessment**
South Dakota paid $2000 per year to participate in the old compact. State dues for the Revised Compact are based on a formula that includes the state’s population and volume of movement of offenders. South Dakota’s dues are $18,000, and will be shared 50:50 between the UJS and DOC. Senator Duniphan suggested that at the Scottsdale meeting Ed request that South Dakota and all smaller states pay even less than the $18,000 since the small states are subsidizing the larger states.

**Information System**
The Revised Compact makes development and maintenance of a national data-sharing information system part of the Commission’s responsibility. A National Database would allow states to share offender information and provide reliable information about the number of offenders involved in the compact. Though the DOC & UJS use different computer systems, the Internet-based information system is being designed so that it can be accessed from common computers requiring no specialized equipment. Some of the Council’s concerns are whether we are gathering information in the correct format, whether it is the right type of information, how much it will cost to access the information.

**State Council Meetings**
The Executive Order mandates that the State Council meet at least twice yearly. Ed and Dallas said that the DOC & UJS are willing to staff the meetings, prepare the agendas, and initially, fund Council meetings. Dallas will check with the Attorney General’s Office on whether the minutes of Council meetings need to be posted somewhere. Senator Duniphan was elected to chair the Council.
Chair Duniphan entertained a motion to appoint Ed Ligtenberg as compact commissioner for South Dakota. Motion passed.
There was a discussion about whether the Council should be an oversight committee or should get involved in day-to-day operations. The consensus was that the Council should act as a board of directors. Judge Tucker added that the Council may need to adopt rules of procedure, such as who is doing preliminary hearings on violations; areas where compact needs definition on procedures.
For the next meeting, Dallas suggested that each member create a list of specific issues they have had with the current compact e.g. victim notification, costs. Senator Duniphan suggested getting ideas for a budget for the State Council to discuss.
Additional items of discussion were what will happen to states that do not come into the new compact, how does the compact work for transfers on or off reservations.

**Public Information**
Ed stated that public information is a big part of the Council’s role. Some suggestions were:
- Contact Sheriffs Assn, Municipal League, County Commissioners.
- Get on agendas for organizations and provide overviews.
- DCI newsletter
Dallas & Ed will put together a briefing sheet with statistics, standard questions, etc.
To further public education, Senator Duniphan will ask the LRC Executive Board if the Council could hold a briefing for legislators during the first week of session.
**Meeting Dates**
The next meeting will be on Feb. 19 at 3:00 in Room 412.

**Adjournment**
Judge Tucker made a motion to adjourn. Brian seconded, and the meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Terri Adams