### INTERSTATE COMPACT COUNCIL MINUTES

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<th>Committee</th>
<th>Interstate Compact Council</th>
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<td>Date Time Location</td>
<td>Tuesday, May 7, 2014 2 p.m. – 3 p.m. Utah State Capitol, Senate Bldg., CCJJ Conference Room</td>
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<tr>
<td>Members Present</td>
<td>Ron Gordon, Jesse Gallegos for Clark Harms, Jim Ingle, Geri Miller-Fox, Sheriff Alden Orme, Judge Edwin Peterson, Shirlee Silversmith</td>
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<td>Members Excused</td>
<td>Doug Fawson, Debra Moore, Sharel Reber, Lisa Remal, Kirk Torgensen, Senator Urquhart</td>
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<td>Staff</td>
<td>Jo Lynn Kruse, Jennifer Valencia</td>
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#### Agenda Item: Welcome and Approval of Minutes

**Notes**: Jim Ingle welcomed everyone and called the meeting to order. Sheriff Orme made the motion to approve the January meeting minutes. Judge Peterson seconded the motion, which passed unanimously.

#### Agenda Item: Review of Current Compact Cases in Utah

**Notes**: As of May 1, 2014, the total number of offenders in our state from other states for probation/parole compactors is 717. The total number of offenders from our state currently on compact out of state is 473. There is a difference of 244 offenders. Jim presented statistics that show the breakdown of compactors in our state by offense type. 26.29% of offenders have alcohol & drugs convictions, 15.38% have property offenses, 14.32% have convictions for person offenses, 10.68% traffic offenses, 12.09% register-able sex kidnap offenses, 7.39% other, 9.74% financial, 2.93% have convictions for weapons offenses and 1.17% homicide.

The number of active compact “in” cases by state show that the largest numbers are from Idaho, Nevada, Colorado, and Arizona. This is due largely to proximity. 93.32% of compacters are employed and 6.68% are unemployed.

The greatest percentage of active compact “in” cases (56.44%), fall in the low category on the Level Service Inventory (LSI). 33.39% are in the moderate category with 6.36% in the high category.

Compact In Violation Reports – 67 total violation reports. 51 for technical violations/new arrests, 13 absconded, 3 with new felony convictions. (Based on violation reports and case closures submitted through ICOTS between Dec. 1, 2013 and Mar. 31, 2014).

Compact Out Violation Reports – 67 total violation reports. 58 technical violations/new arrests, 9 absconded and 0 new convictions. (Based on violation reports and case closures submitted through ICOTS between Dec. 1, 2013 and Mar. 31, 2014).

The majority of incoming sex and kidnap offenders come from the states of Idaho, Arizona, Colorado and Nevada. The majority of outgoing sex and kidnap offenders go to Idaho, Nevada, Texas and Arizona.

Active Compact – In Cases, Incoming Transfer Requests show the majority of request reasons submitted are classified as Resident Family at 57.36%.

Active Compact – Out Cases, Outgoing Transfer Requests show the majority of request reasons submitted are classified as Resident Family at 59.77%.

At the last meeting, Judge Peterson requested the numbers of compactors out by offense type. Data collected from ICOTS on May 1, 2014 show Alcohol and Drugs at 22.64%, Property 16.17%, Person 13.92%, Other 13.78%, Financial 11.95%, Sex & Kidnap Offense 8.86%, Traffic Offenses 8.30%, Weapons 2.53% and Homicide 1.83%.

#### Agenda Item: Retaking Issues in Utah
A proposed draft addition to Utah code 77-30-24 was discussed. The draft is as follows:

(3)(a) Any felony or misdemeanor probationer or parolee whose supervision has been transferred to another state pursuant to the Interstate Compact for Adult Supervision and Utah Code 77-28c shall be retaken from the receiving state as required by compact rules.
   (i) Compact parolees shall be retaken by the Division of Adult Probation and Parole upon issuance of a nationwide warrant by the Utah Board of Pardons and Parole.
   (ii) Compact probationers shall be retaken by the Sheriff of the county where the criminal conviction occurred upon issuance of a nationwide warrant by the convicting court.
   (b) Notwithstanding 77-30-24(1), agencies retaking an offender under this subsection shall be reimbursed for travel expenses from the CCJJ extraditions fund.

The other proposed change to Utah code 77-28c-104(3) follows:

(3)(a) The department shall collect a fee of $50 from each offender applying for transfer of supervision to another state under the Interstate Compact for Adult Offender Supervision.
   (b) All fees collected under this section shall be utilized by the department to pay annual dues as provided by UCA 77-28c-103 Article X(b). Any balance remaining after the payment of any annual dues shall be transferred by the department to the CCJJ extraditions fund.

Bringing back those who fall under the misdemeanor compact category has increasingly become a problem. One of the setbacks is that CCJJ under Utah statute does not pay for the return of misdemeanants. The other problem is that most counties feel it is the responsibility of AP&P to bring back compact misdemeanants rather than themselves. We need to find out how many misdemeanor compacts occur per year. Please send ideas and suggestions to Jim and Geri. We also need input from the Sheriff’s Association and the Utah Prosecution Council. A sponsor is also needed.

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**Notes**

**Agenda Item** On-demand Training for Court Personnel

**Notes**

Jim announced that Interstate Compact for Adult Offender Supervision On-demand training for Courts is now available online. You may register for an account at [www.interstatecompact.org](http://www.interstatecompact.org). Jim will contact Debra Moore to get on the Fall agenda for judges training.

**Agenda Item** Possible Rule Proposals for 2015

**Notes**

Jim presented a draft of Rule 5, which would allow for the parole board to hold a video or telephone hearing in the receiving state. This would be a real cost saver in that it would greatly reduce unnecessary transport costs.

Another rule proposal is Rule 2.105 Misdemeanants
(a) A misdemeanor offender whose sentence includes 1 year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied/ and the instant offense includes 1 or more of the following –
   (1) an offense in which a person has incurred direct or threatened physical or psychological harm;
   (2) an offense that involves the use or possession of a firearm;
   (3) a second or subsequent misdemeanor offense of driving while impaired by drugs or alcohol;
   (4) a sexual offense that requires the offender to register as a sex offender in the sending state.

Judge Peterson suggested changing the supervision amount from 1 year or more to 25 months. This item will be put on the September agenda.

Rule proposals are due by the end of this year. If proposals are approved by the Western Region, they will then be forwarded for a vote at the National meeting in August 2015.

**Agenda Item** Update on Statewide Training Plan

**Notes**

Training for Private Probation is on the agenda for the next Private Probation Licensing Board meeting. Statewide rules training was held in January and February of 2014 and provided training at all AP&P offices. And again, the Interstate Compact for Adult Offender Supervision On-demand training for Courts is now available online. You may register for an account at [www.interstatecompact.org](http://www.interstatecompact.org). Click on “Training” then “On-Demand” then “Courts & State Agency Course Library” then “Agency-401 Judicial Issues”.

**Next Meeting**

The next meeting is scheduled for Wednesday, September 17, 2014, 2-3:30pm, Utah State Capitol,