## INTERSTATE COMPACT COUNCIL MINUTES

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| Date      | Tuesday, December 14, 2010 |
| Time      | 1:30pm – 2:30pm            |
| Location  | Utah State Capitol, Senate Bldg., CCJJ Conference Room |

| Members Present | Brent Butcher, Forrest Cuch, Doug Fawson, Jesse Gallegos, Ron Gordon, Jim Ingle, Sheriff Alden Orme, Senator Urquhart |
| Members Excused | Judge Kevin K. Allen, Sharon Daurelle, Debra Moore, Sharel Reber, Lisa Remal |
| Staff         | Jo Lynn Kruse, Jacey Skinner, Nickole Lavery (Department of Corrections) |

### Agenda Item Welcome and Approval of Minutes

#### Notes

Brent Butcher welcomed everyone and called the meeting to order. Ron Gordon made the motion to approve the September and October minutes. Doug Fawson seconded the motion which passed unanimously.

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

#### Notes

The total number of offenders in our state from other states for probation/parole compactors is 688. The total number of offenders from our state currently on compact out of state is 404. There is a difference of 284 offenders. Jim presented a pie chart that shows the breakdown of compactors in our state by offense type. The largest percentage (26.9) is for alcohol & drugs, followed by person (15.4%), property crimes (13.9%), register-able sex offense crimes & kidnap (11.6%), financial (9.8%), traffic offenses (9.8%), other (8.8%), homicide (2.2%) and weapons (1.5%).

Jim Ingle included a listing of offense types/NCIC codes.

A bar graph showed the number of active compact “in” cases geographically by state. The largest numbers are from Idaho, Arizona, Nevada, and California. That is not surprising considering proximity. A pie chart illustrated the percentage of compacters who are employed (89%) and those unemployed (11%).

Another bar graph illustrated active compact “in” cases by county. The largest being Salt Lake (31.7%), followed by Utah County (11.2%), Davis County (10.8%) and Washington County at 7.9%.

The greatest percentage of active compact “in” cases (59.2%), fall in the low category on the Level Service Inventory (LSI). 28.8% are in the moderate category with 8.4% in the high category.

Compact In Violation Reports – 87 total violation reports. 39 for technical violations, 26 for arrests, 16 absconded, 4 arrests with convictions. (Total number of offenders in this report is 69, with some offenders having more than one offense).

Compact Out Violation Reports – 49 total violation reports. 21 technical violations, 17 arrests, 2 arrests with convictions and 9 absconded. (Total number of offenders in this report is 43, with some offenders having more than one offense).

Offenders Requested to be Retaken by Sending State Due to New Felony Convictions or Significant Technical Violations – Active Compact –In and Compact – Out Cases 29 are awaiting disposition of charges and 17 offenders retaken. Based on violation reports from September 2, 2010 to November 29, 2010, the total number of offenders in this report
were 46, of that 18 were Outgoing and 28 were Incoming.

New statistics presented were **NCIC Descriptors for Current Compact – In Cases, Sex and Kidnap Offender Detail** and **NCIC Descriptors for Current Compact – Out Cases, Sex and Kidnap Offender Detail**. There were 79 compact-in sex and kidnap offenders, all felony convictions, reported as of November 28, 2010. There were 43 compact-out sex and kidnap offenders, (39 felony convictions and 4 misdemeanor convictions) reported as of November 28, 2010.

**Action Item**: Nickole will check statistics as to where (what states) our sex offenders go.

### Agenda Item: Report From the Annual Business Meeting in San Antonio

**Notes**
The states of Washington and Arkansas are at odds with each other stemming from a horrible crime on Nov. 29, 2009 where Maurice Clemmons, an Arkansas parolee, who had compacted to Washington State, ultimately killed 4 Lakewood Police Officers.

The only rule that did not pass is the one which we did not support, Rule 5.103 Mandatory Retaking for Violation of Conditions of Supervision.

### Agenda Item: Review of New Rules Which Take Effect March 1, 2011

**Notes**
- Rule 1.101 Definitions
- Rule 3.107 Transfer Request
- Rule 4.109 Violation Reports
- Rule 4.109-2 Absconding Violation
- Rule 5.101 Retaking by the Sending State
- Rule 5.102 Mandatory Retaking for a New Felony Conviction
- Rule 5.103-1 Mandatory Retaking for Offenders Who Abscond
- Rule 5.103-2 Mandatory Retaking for Violent Offenders and Violent Crimes

Regarding Rule 5.103-2, Jesse Gallegos asked on behalf of the Board of Pardons, when one of these situations occur, and Utah is the sending state, if AP&P would reference the rule in the Violation report reminding the BOP that according to the interstate compact, we have to issue a warrant and bring the compactor back.

### Agenda Item: Report of Justice Courts Training

**Notes**
Judge Thomas (training coordinator for justice courts in Utah) invited AP&P to participate in their Winter Workshop last Friday in Salt Lake City. Approximately half of the Justice Court judges in the state were there and AP&P gave a presentation on the Interstate Compact. The types of cases that trigger Interstate Compact rules were discussed. Justice Court judges need to know which misdemeanor cases trigger the compact and which ones do not. The good news is that most misdemeanor cases do not trigger the compact, but there are some that do. AP&P also trained the judges briefly on which offenses trigger sex offender registration. The presentation was very well received.

### Agenda Item: Discussion of Possible Training for District Courts

**Notes**
Judge Thomas mentioned that she would contact the training coordinator (her counterpart at the District Court level, to see if AP&P could possibly provide some training for District Courts as well.

### Next Meeting
The next meeting is scheduled for Tuesday, April 5, 2011, 1pm, Utah State Capitol, Senate Bldg., CCJJ Conference Room E330

Minutes prepared by Jo Lynn Kruse – Administrative Assistant, CCJJ