## INTERSTATE COMPACT

### MINUTES

<table>
<thead>
<tr>
<th>Committee:</th>
<th>INTERSTATE COMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date:</strong></td>
<td>Tuesday, April 8, 2003</td>
</tr>
<tr>
<td><strong>Time:</strong></td>
<td>2:30 PM</td>
</tr>
<tr>
<td><strong>Place:</strong></td>
<td>Board of Pardon and Parole</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Members Excused</td>
<td>Sheriff Nelson</td>
</tr>
<tr>
<td><strong>Staff:</strong></td>
<td>Ron Gordon, Pat Mason</td>
</tr>
</tbody>
</table>

### Visitors

### Agenda Item: Welcome and Approval of Minutes

**Notes:** Don welcomed and thanked everyone for coming.

### Agenda Item: Outreach to Judiciary – Don Blackburn

**Notes:**

Don related the story of the Peyton Tuthill case out of Maryland where there had been violations of the compact by a Judge that resulted in the murder of Peyton Tuthill. The State of Maryland and the treatment facility was sued over the case. Don gave other examples of states being held liable for violation of the compact rules.

Don related that during the last three months there had been some situations with judges in our state that were serious violations to the established rules of the Compact. He has reached out to the judiciary through their annual training and published handbooks for them to reference, however, what has been done does not seem to be effective. This is of such serious concern that Don felt the council needed to be briefed on the problem and assist with a strategy to overcome it.

The two issues that need to be addressed are:

1. Training
2. How to handle individual cases that come up where there has been a violation of the Compact.

There was a great deal of discussion by the council concerning the most appropriate method to train judges and also the reach out to them once they have rendered a decision. It was concluded that the compact training should cover three major areas:

1. Agents
2. Prosecutors
3. Judges
Suggestions were made to train the judges in each judicial district as they had done previously with the sentencing matrix training and also at their annual workshop. It was also suggested that Don appear before the Board of District Court Judges to make a presentation and solicit their support.

Ray Wahl, Court representative, presented that he was making the recommendation to the Director of the Court Administrators Office that Mark Jones be place on this committee in his place. Mark’s assignment is to administer the District Courts, consequently Ray felt it appropriate for Mark to serve on the Compact committee because he works directly with those courts and judges that deal with the adult Compact.

The conclusion and recommendation by the council was:

1. Don Blackburn to reach out to Paul Boydon in regards to getting the prosecutors involved in the compact.
2. Don to present to the Board of District Court Judges a proposal to travel to each judicial district and provide compact training.
3. When a Judge takes action that is in conflict with the compact Don will contact Sharel Reber, Attorney General Representative, and have a motion filed to correct the problem.
4. Attempt to have articles placed in the Judicial Bar Journal and the “Prosecutor:”

**Agenda Item:** Application Fee – Don Blackburn

**Notes:**

Don presented a letter from the Chair of the Interstate Commission, Mr. David Gunthar that suggests to states that there is nothing in the rules of the Compact that stops states from charging an application fee. The dues assessment under the new compact is considerably higher than the old compact and the fee is one way for states to raise money to assist with the dues. Don also stated that another by-product of fees is that reduces the number of frivolous applications.

Sharel Reber, Attorney General Representative, suggested that we would need to show why there is a need for the application fee and where the money would go.

Don reported that the money would be used for yearly dues and that the money from the dues will be used for the following items; setting up a National Commission, a full time office and legal council. It will also pay to bring members of the commission to national meetings. Don reported that under the old Compact states had to come up with their own money to attend these meetings so most of the time they didn’t attend. It will also assist in developing and maintaining a national data base.

Ron Gordon, CCJJ, suggested it would be a good idea to have some figures showing the amount of money we need. Show the amount of people we think will apply, the number we think will be able to pay, and that you expect some will not be able to pay so we would have to waive the fee. Also include the information on the data base.

**Agenda:** Compact Process – Don Blackburn

Don had prepared and handed out a graph showing how the Interstate Compact process flows and works step by step.
| Don stated that the Interstate Commission is moving along well. All the committees are meeting. There will be a meeting in June, in Lexington KN of all the working committees.  
Don concluded by stating that the state of Utah is doing quite well with the Compact but the items we talked about today are very important that they are resolved. There have been some huge settlements in other states and we don’t want that to happen here. we just have to be very careful. |

Minutes prepared by Pat Mason – Administrative Assistant CCJJ