WYOMING STATE COUNCIL
INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION (ICAOS)

AGENDA

November 23, 2009

1. Introduction of Council Members

2. Offender data and staffing update

3. Review of ICAOS Annual Business meeting
   • Amended rules
   • Budget
   • Western region
   • 2010 meeting

4. Judicial training and communication with legal partners

5. Open discussion

6. Schedule next Council meeting
Wyoming Compact Data as of 11/19/09

- WY probationers supervised in other states: 402
- WY parolees supervised in other states: 123
- WY offenders on probation and parole in other states: 11
- Total WY offenders supervised in other states: 536
Out-of-state probationers being supervised in WY 411
Out-of-state parolees being supervised in WY 61
Out-of-state offenders on probation and parole supervised in WY 3

Total out-of-state offenders being supervised in WY 475

**Staffing**

We continue to be down one staff position within the Compact unit. A request for hiring exception has been resubmitted.

**Interstate Commission for Adult Offender Supervision 2009 Annual Business Meeting November 3, 4, 2009**

New Rules to become effective on March 1, 2010

Each rule was presented by the chair of the rules committee – commissioner from Wisconsin. Also potential fiscal impacts were presented if a need to make change within ICOTS system

Rule 1.101 Definitions approved 43 to 4
clarified the sending state responsibility to monitor and collect monies
if only monetary condition – no need to transfer,

  o Pat Anderson needed some verification on the definition of supervision and explained the Board of Parole’s position regarding parolee’s with only a monetary obligation.

Rule 2.104 Forms approved 45 to 0
clarifies communication channels

Rule 2.106 Deferred Sentences approved 26 to 21
if a court has adjudicated in any sense but not sentenced – this is a compact case

Rule 2.110 Transfer of offenders approved 43 to 2
clarifies sending state’s responsibilities to remove an offender from the receiving state

Rule 3.101 Mandatory transfer of supervision denied 28 to 19
did not support “3 strikes” rule

  o Point brought up at the ICAOS meeting in Reno, that conditions can change, and they do not want to limit an offender due to 3 requests and denials. Recognizes benefit of employment.

Rule 3.101-1 Mandatory transfers “and employment transfer” approved 33 to 14
recognizes importance of employment for offender well-being

Rule 3.101-3 Transfer of sex offender supervision denied 26 to 21
would have been contrary to existing statutes in many states-

Rule 3.102 Submission of transfer request to receiving state approved 41 to 5
provides exception to allow an offender to maintain employment during transfer investigation process

Rule 3.104 Time allowed for investigation by receiving state approved 45 to 2
allows offender to remain in receiving state while sending state corrects transfer packet

Rule 3.104-1 Acceptance of offender approved 45 to 2
clarifies receiving state’s responsibility for supervision upon arrival

Rule 3.107 Transfer Request approved 47 to 0
clarifies need to include offender application (mandatory)

Rule 4.106 Progress reports approved 46 to 1
clarifies timeline for progress reports when requested by sending state

Field Services regional trainers will coordinate to ensure all staff are trained on the new rules before the effective date.

No further questions asked about Rules.

Pat Anderson, Board of Parole, indicated an interest in comparing recidivism rates for offenders compacted to other states with those remaining in Wyoming. Reporting capabilities in ICOTS should allow this at some future time.

ICAOS Budget

Each state & territory pays annual dues which vary from low of $10,300 (Virgin Islands) to $52,700 (Texas & California).

Wyoming currently pays $20,700 and there will not be an increase for this fiscal year.

These are established using a formula that considers ratio of state population to U.S. population and ratio of state offender transfer numbers to U.S. offender transfers. This was established years ago and a committee to review has been requested.

Western Region Meeting

Many states are having economic impacts that include furloughs, limited work hours/days, and reductions to staff. The recent move by Puerto Rico to terminate government positions was provided as an example.

Next ICAOS Meeting

The next national meeting will be a business meeting only (i.e. no new rules) and will be October 11-14, 2010 in San Antonio, TX.
Training

It remains our intent to continue sending out information on ICAOS to judicial officials including district and circuit court judges, prosecutors, and public defenders.

The Juvenile Compact Council is coming on line and there is a possibility that we may be able to partner with them in our training efforts.

Open Discussion

Pat Anderson, Board of Parole, discussed recent sex offender cases compacted to Colorado and that state’s questioning Board mandated conditions. Concern focused on the Board not including “no contact with children” and not including polygraph testing. Such problems need to be referred to the Compact office for direct involvement with Colorado.

Pat Anderson, Board of Parole questioned if there is a process to challenge a receiving state denying a placement request. Again, this should be pursued between Compact offices.

Meeting ended at 9:30am.

Date of Next State Council Meeting

The next meeting is tentatively scheduled for June 28th Monday, @ 9:00am.