



*The Commonwealth of Massachusetts
Executive Office of Public Safety and Security*



PAROLE BOARD

*12 Mercer Road
Natick, Massachusetts 01760*

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Terrence M. Reidy
Secretary

Telephone: (508)-650-4500

Facsimile: (508)-650-4599

Tina M. Hurley
Chair

Daniel Nakamoto
Acting Executive Director

INTERSTATE COMMISSION ON ADULT OFFENDER SUPERVISION

MASSACHUSETTS STATE COUNCIL

NOVEMBER 30, 2023 MEETING MINUTES

Date: Thursday, November 30, 2023 @ 2:30 PM

Location: Massachusetts Parole Board Central Office
12 Mercer Road
Natick, MA 01760

1. Meeting called to order by Commissioner Hurley
2. Introductions of those present:
 - a. Tina M. Hurley – State Council Commissioner and Chair, Massachusetts Parole Board
 - b. Keara Kelley – Deputy Compact Administrator/Parole and Lead Legal Counsel, Massachusetts Parole Board
 - c. Steven Xiarhos – State Representative, 5th Barnstable District
 - d. Liam Lowney – Executive Director, Massachusetts Office for Victim Assistance
 - e. Katherine Moran – Director, Victim Service Unit, Massachusetts Parole Board
 - f. Mark Fournier – Interstate Compact Parole Supervisor, Massachusetts Parole Board
 - g. Jeffrey Stone – Interstate Compact Coordinator, Massachusetts Parole Board
 - h. Michael Coelho – Deputy Compact Administrator/Probation and Deputy Commissioner, Massachusetts Department of Probation (via Webex)
 - i. Carol Mici – Commissioner, Massachusetts Department of Correction (via Webex)
 - j. Stephanie Hurst – Program Coordinator, Office of the General Counsel, Massachusetts Parole Board
3. Acknowledgement of Agenda from January 10, 2022 Meeting

4. Discussion Topics

a. 2023 Annual ICAOS Business Meeting

- i. Commissioner Hurley presented overview of ICAOS Annual Business Meeting, held September 18-20, 2023 in Norfolk, Virginia. Discussion points included the 5.108 rule change, upgrades to ICOTS system, and region meetings. The next annual meeting is scheduled for September 9-11, 2024 in Arizona.

b. Rule 5.108 Change

- i. Parole Supervisor Fournier presented an overview of the Rule 5.108 rule change. The change from “shall” to “may” gives the receiving state the option to hold a supervised individual in custody following a finding of probable cause that there has been a violation. This is consistent with Massachusetts Parole regulations. Deputy Commissioner Coelho noted that probation currently does not have the ability to issue warrants for violations occurring in other states.

c. Current Numbers of Interstate Compact Clients

- i. As of June 30, 2023, Massachusetts was supervising 166 parole clients and 1095 probation clients from other states. We had 137 parole clients and 1039 probation clients supervised in other states. These numbers are comparable to pre-pandemic supervision numbers.

d. Termination Applications from Interstate Compact Clients

- i. A discussion was held about how to determine whether a client supervised out of state who applies for termination of parole supervision meets the eligibility requirements to apply for termination, as established by 120 CMR 700.04. One requirement involves looking at risk/needs assessment and supervision level, which may not be comparable in another state.
- ii. There was consensus that we must continue evaluating each application on a case-by-case basis to determine whether the applicant qualifies.
- iii. It was suggested that we add a section to our forthcoming termination application to be completed by the out-of-state parole officer so that our staff will have more information about the client’s supervision.
- iv. There was a discussion of the notification requirements for victims in 120 CMR 700, et seq.

e. Supervision of Interstate Compact Clients on Medical Parole

- i. A discussion was held about Rule 3.104, which permits a receiving state 45 days to investigate a request for transfer, and how this may cause delayed release of individuals who have been granted medical parole. Specific examples of individuals who have been released on medical parole were discussed. There was a suggestion that one option for some clients may be parole to a local medical facility, after which point the client may apply for Interstate Compact supervision. This would allow the receiving state to investigate after the client has been released from custody.

5. Open Session for Topics Not Reasonably Anticipated

- a. No suggestions were made for additional discussion topics.

6. Schedule Next Meeting and Future Agenda Items

- a. The next State Council meeting will be held on Thursday, November 21, 2024 at 2:30PM.
- b. If a Council member feels that a sooner meeting is necessary, that individual may request a sooner meeting.
- c. No future agenda items were suggested. Suggestions will be accepted and added to the agenda if submitted prior to the next meeting.