



TO: Members of Tennessee Council for Interstate Adult Offender Supervision

FROM: Alisha James, Assistant Commissioner, Community Supervision

DATE: June 13, 2018

RE: Minutes of the June 13th, 2018 meeting of the Tennessee Council for Interstate Adult Offender Supervision

The Tennessee Council For Interstate Adult Offender Supervision conducted a meeting on June 13th 2018 at 9am. Present were Council members: Senator Rusty Crowe, Representative Jim Coley, Attorney Holly Troutman, Victims Representative Verna Wyatt, TDOC General Counsel Debbie Inglis for TDOC Commissioner Tony Parker, and Compact Administrator Alisha James. Also in attendance were Board of Parole General Counsel Rob Clark, and Deputy Compact Administrators Rene Green and Deborah Duke. Judge Dozier was unable to attend due to a requirement by statute to attend the Judicial Conference annual meeting in Memphis.

Approval of Minutes

The Minutes of the March 14th, 2018 Council meeting were approved.

Meeting Format Change

Motion was made and passed by unanimous Council vote to conduct 2 of the quarterly TN Council meetings via conference call. The meetings to take place electronically will occur in June and December.

Roundtable Discussion

Discussed summons and subpoenas. Council member attorney Holly Troutman provided an explanation of the differences. Discussion on how TCA 24-9-203 is used in regard to compel someone to appear. Discussed probable cause hearings and their precedent in *Morrissey v Brewer*. BOP General Counsel Rob Clark explained how the termination of liberty requires assurance that violations are based on facts to support a revocation. His office also maintains a database for AOC appointments for offenders requesting legal counsel. TDOC has policy for holding probable cause hearings as well as training guides, all in accordance with ICAOS Rule 5.108 for probable cause hearings. Since these hearings are held as part of the offender's due process rights in proximity to the location of the violation and conducted by a neutral party, there should be no cause for a supervising officer to be subpoenaed to appear in the court of the offenders sending state in order to uphold the violation.

ICAOS Committee Review

Compact Administrator Alisha James provided information on the committee reviewing the need for uniform Risk and Needs Assessments where it was determined that the existing assessments are adequate. Discussions on the opioid epidemic indicated getting offenders into treatment is a priority as well as reinforcing positive behavior and consistent practices. Judge Sloan is currently scheduled to speak on this issue at the ICAOS Annual Business meeting in October.

Discussion regarding the sex offender definition and what constitutes a sex offense. There are some sex offenses that require an offender to register in one state and not in another. Sex offenders are supervised closer and require a more thorough residence investigation so Tennessee officers generally use all the allotted 5 days to investigate the proposed residence for a

sex offender coming to Tennessee on reporting instructions. The problem of homeless sex offenders would be the only reason not to extend the 5 day time frame. The TN State Council determined that it is in the best interest of public safety not to extend this timeframe.

An electronic copy of the Bench Book was distributed to all TN State Council members for review and suggestions / recommendations on how to utilize the document to meet the needs of the stakeholders.

Other Business

Verna Wyatt brought a concern she had to the Council's attention regarding information she received from a TN State Trooper in reference to a group of men hanging around a school, where one of them was a registered sex offender from another state. The offender was not under active supervision and so could not be arrested because the law allows him 48 hours before he has to obey Tennessee laws regulating sex offender behavior. Senator Crowe stated he will look into this loophole in the law.

Next TN Council meeting will be held on Wednesday, September 12th 2018 at 1pm in the 5th floor conference room of the Rachel Jackson Building. Meeting adjourned 9:58am.



Rachel Riley-Coe for Alisha James, Chair



Date