



**Interstate Commission  
for Adult Offender Supervision  
ADVISORY OPINION**

**Opinion Number:** 1-2011  
**Issued:** 2011-01-21  
**Revised:** 2026-02-04

**Requested by:** Washington

**At Issue:** Whether ICAOS Rule 2.105 applies to misdemeanor convictions pertaining to hunting which involve the use of a firearm and whether supervised individuals convicted and sentenced to supervision for such violations are thus subject to transfer under the compact.

Advisory Opinion 1-2011

**Issued by:** Harry E. Hageman, Executive Director & Richard L. Masters, Legal Counsel

## **Background**

The State of Washington has requested an advisory opinion regarding the requirements of the Compact and ICAOS Rules when a supervised individual is convicted of a misdemeanor pertaining to hunting and involves the use of a firearm.

## **Applicable Rules**

[Rule 2.105](#) "Misdemeanants"

*(a) A misdemeanor supervised individual whose sentence includes 1 year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes one or more of the following-- . . .(2) an offense involves the use or possession of a firearm."*

## **Analysis**

The literal text of [Rule 2.105](#) (a) (2) specifies, without qualification, that a supervised individual whose misdemeanor offense involves the use or possession of a firearm and whose sentence includes one year or more of supervision is eligible for transfer of supervision under the compact. While Washington questions whether individuals convicted of hunting violations pose a threat to community safety, since the express provisions of ICAOS [Rule 2.105](#) (a) (2) are unambiguous and not contrary to the purposes of the compact this rule must be interpreted based upon its 'plain meaning' as provided in the regulation. *See Lyng v. Payne, 476 U.S. 926 (1986); U.S. v. Stapf, 375 U.S. 118 (1963).*

## **Conclusion**

ICAOS Rule 2.105 applies to all misdemeanor violations, including those pertaining to hunting, which involve the use of a firearm and individuals convicted and sentenced to supervision for such violations are thus subject to transfer under the compact.