



Interstate Commission for Adult Offender Supervision

Rules Committee Meeting MINUTES

October 9, 2019

San Diego, CA

Members in Attendance:

1. Doug Clark (SD), Chair
2. Dori Littler (AZ), Vice-Chair
3. Joe Winkler (FL)
4. Robert Maccarone (NY)
5. Brody Burks (TX)
6. Tim Strickland (FL), Ex-Officio
7. Margaret Thompson (PA), Ex-Officio

Members not in Attendance:

1. Joselyn Lopez (WI)
2. Linda Rosenberg (PA)
3. Chris Moore (GA)
4. Tracy Hudrlik (MN), Ex-Officio
5. Pat Odell (WY), Ex-Officio
6. Rick Masters, Legal Counsel

Guests:

1. Veronica Cunningham (APPA)
2. April Simmons (IN)
3. David LaBohn (APA)
4. Alan Robinson (PA)
5. Richard Tincher (DC)
6. Sarah Ball (SD)
7. Amy Paezold-Kirk (WV)
8. Lonzo Henderson (AK)
9. Rebecca Brunger (AK)
10. Michael Knott (HI)
11. Dwight Sakai (HI)
12. Brook Mamizuka (HI)
13. Pamela Thiekle (TX)
14. Nora Antonucci (NV)
15. Christopher Cupton (NV)
16. Deon McDaniel (NV)
17. Nikole Lavery (UT)
18. Gloriann Moroney (MA)
19. Amber Schubert (AR)
20. Kevin Keefe (MA)

Staff:

1. Mindy Spring, Administrative and Training Coordinator

Call to Order

Chair D. Clark (SD) called the meeting to order at 3:18 pm PT. Five voting members were present, constituting a quorum.

Approval of Agenda and Minutes

Commissioner B. Burks (TX) moved to approve the agenda as presented. Commissioner D. Littler (AZ) seconded. Agenda approved.

Commissioner B. Burks (TX) moved to approve the minutes from August 19, 2019 meeting as drafted. Commissioner D. Littler (AZ) seconded. Minutes approved.

Discussion

Chair D. Clark (SD) expressed his appreciation to the committee and commented on this year's proposal process and outcome. The committee was able to accomplish last year's goals.

Chair D. Clark (SD) informed the committee of the motion from the Executive Committee instructing the Rules and Compliance Committees to collaborate on the analysis of this year's warrant review and future audit processes regarding warrants.

The Committee drafted its goals for the upcoming year:

Goal #1: Collaborate with the Compliance Committee on the analysis of this year's warrant review and provide recommendations for next year's audit.

Goal #2: Review warrant timeframes already established in the rules and rules that do not provide a timeframe to obtain compact compliant warrants.

Goal #3: Revisit proposal to Rule 3.103 withdrawn by the West Region prior to the ABM vote to address issues the proposal was attempting to address. It was also noted there are inconsistent interpretations not related to this year's proposal that came up during discussion which may warrant splitting language out into a separate rule.

Goal #4: Look at the Misdemeanor Rule (2.105) and the transfer and retaking processes for misdemeanants

Goal #5: Review the West's concept rule proposal of managing offender's convicted of domestic violence.

Goal #6: Monitor the implementation process of the 2019 approved amendments as they go into effect April 1, 2020.

Commissioner R. Maccarone (NY) expressed the importance of face-to-face meetings when discussing rule proposals. In the future, the Rules Committee will explore ensuring there is a face-to-face after the comment period in addition to a meeting before the comment period.

Commissioner R. Maccarone (NY) also noted in regard to the warrant audit summary that state specific results were provided and the Commission should explore methods to manage or track warrants with technology and/or via future rule change. It was noted in regard to probation cases, the responsibility for warrants fall back on courts, so some states face challenges due to where the realm of authority exists in their state.

Commissioner D. Littler (AZ) expressed the importance of reviewing the misdemeanor rules noting in her state there are varying levels of courts sentencing offenders for misdemeanor crimes. She believes many of the lower level courts are allowing offenders to go out of state without knowledge of the compact.

Chair D. Clark (SD) indicated the committee previous attempted to address this issue by exploring how the rules could incorporate a risk assessment tool to determine eligibility.

DCA M. Thompson (PA) and Commissioner B. Burks (TX) suggested the Rules Committee consider proposals that did not pass this year (Rules 3.103 & 5.103-1) in the upcoming year instead of waiting two years. In addition, the committee should request to hold two face-to-face meetings in the upcoming year. DCA M. Thompson (PA) suggested soliciting draft language for these rules through the DCA regions.

Chair D. Clark (SD) noted the commission needs to be more vocal during the comment period prior to voting on rules. Many issues and questions that came up during the presentation and at the vote were not communicated ahead of time to the committee.

Commissioner R. Maccarone (NY) suggested holding a face-to-face meeting in Jan or Feb perhaps in conjunction with the compliance committee or invite the chair of the Compliance Committee, Allen Godfrey (MN).

Motion to adopt the 6 goals as drafted by the committee, revisit proposals to Rules 3.103 & 5.103-1 and request a face-to-face meeting made by Commissioner D. Littler (AZ), seconded by Commissioner R. Maccarone (NY). Motion Carried

Adjourn

Commissioner B. Burks (TX) moved to adjourn. Commissioner J. Winkler (FL) seconded.

The meeting adjourned at 3:49 pm PT.