



## Interstate Commission for Adult Offender Supervision

### East Region Meeting MINUTES

July 13, 2021 · 1:00 pm ET  
Video Conference

---

#### **Members in Attendance:**

1. Dale Crook (VT), Chair
2. David Cady (NH)
3. Samuel Plumeri (NJ)
4. Terra Taylor (DE)
5. Patricia Coyne-Fague (RI)
6. Robert Maccarone (NY)

#### **Members not in Attendance:**

1. Gary Roberge (CT)
2. Gloriann Moroney (MA)
3. Susan Gagnon (ME)
4. Linda Rosenberg (PA)
5. Raquel Colon (PR)
6. Wynnie Testamark (VI)

#### **Guests:**

1. Joseph Garibaldi (CT)
2. Kevin Keefe (MA)
3. Matt Charton (NY)
4. Jim Carswell (NY)
5. Dina Rogers (NJ)
6. Shyra Bland (NJ)
7. Margaret Thompson (PA)
8. Melissa Kearney (DE)
9. Ingrid Siliezar (RI)
10. Rickey Plank (VT)

#### **Staff**

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Barno Saturday, Logistics and Administrative Coordinator
4. Mindy Spring, Administrative and Training Coordinator
5. Xavier Donnelly, ICOTS Project Manager

#### **Call to Order**

Chair D. Crook (VT) called the meeting to order at 1:04 pm ET. Six out of twelve commissioners were present, a quorum was not established.

#### **Discussion**

*Review revisions to proposal to amend Rule 1.101 Definition of Resident:* Executive Director A. Lippert informed the region that the Rules Committee met in June to review the comments received during the rule proposal comment period. Upon further consideration, the committee made additional changes to the proposal to amend Rule 1.101 Definition of Resident. The Commission will vote on the revised proposal at the upcoming Annual Business Meeting.

Commissioner R. Maccarone (NY), Rules Committee member, informed the region that the Rules Committee added ‘continuously and immediately’ to section 1 clarifying the trigger for when the 1-year timeframe for qualification for a resident starts. Furthermore, the committee decided not to strike section 3 referencing military orders and incarceration.

### ***Rule 1.101 Definitions***

“Resident” means a person who—

1. has resided in a state for at least 1 year continuously and immediately prior to either the supervision start date or sentence date for the original offense for which transfer is being requested ~~has continuously inhabited a state for at least 1 year prior to the commission of the offense for which the offender is under supervision;~~ and
2. intends that such state shall be the person’s principal place of residence.; and
3. has not, unless incarcerated or under active military orders ~~deployment~~, remained in another state or states for a continuous period of 6 months or more with the intent to establish a new principal place of residence.

### **Justification:**

The current definition of resident in Rule 1.101 is overly restrictive and does not address the circumstances of individuals who have resided in a receiving state for an extended time, especially between commission of the offense and placement on supervision. Moreover, the current definition makes it particularly challenging for the sending state to provide proper documentation to support residency in such circumstances. The misapplication and limitations of the current definition often result in unnecessary delays or denials of the transfer request because the individual does not meet the current criteria of “resident”, despite having a valid plan of supervision in the receiving state. This proposal maintains the protections provided to the receiving state under the existing “resident” rule, while recognizing individuals who have established themselves with the requisite supports in the receiving state. Lastly, this proposal ensures that the request for transfer under the qualifying reason remains tied to the commission of the offense for which the offender is placed under supervision.

Chair D. Crook (VT) noted that the revised proposal was straightforward.

### **Old Business/New Business**

Executive Director A. Lippert noted that the 2021 Annual Business Meeting’s (ABM) registration opens later this month. During the ABM, the East will meet on September 22 for a region meeting. The full Commission will meet on September 29.

### **Adjourn**

The meeting adjourned at 1:14 pm ET.