



Interstate Commission for Adult Offender Supervision

East Region Meeting MINUTES

February 13, 2024 · 11 am ET
Teleconference

Members in Attendance:

1. Dale Crook (VT), Chair
2. Gary Roberge (CT)
3. Heidi Collier (DE)
4. Tina Hurley (MA)
5. Susan Gagnon (ME)
6. David Cady (NH)
7. Samuel Plumeri (NJ)
8. Matthew Charton (NY)
9. Christian Stephens (PA)

Members not in Attendance:

10. Wayne Salisbury (RI)
11. Raquel Colon (PR)
12. Wynn Timermark (VI)

Guests:

1. Christopher DeNunzio (DE)
2. Jeanne Stewart (NH)
3. Joseph Garibaldi (CT)
4. Keara Kelley (MA)
5. Kelly Palmateer (NY)
6. Scott Hurteau (NY)
7. Denis Clark (ME)
8. Dina Rogers (NJ)
9. Matthew Reed (PA)
10. Rickey Plank (VT)

Staff

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

Call to Order

Chair D. Crook (VT) called the meeting to order at 11:01 am ET. Nine out of twelve voting members were present. A quorum was established.

Agenda and Minutes

Commissioner S. Plumeri (NJ) moved to approve the agenda as presented. Commissioner G. Roberge (CT) seconded. Agenda approved as presented.

Commissioner G. Roberge (CT) moved to approve the minutes from September 19, 2023, meeting as drafted. Commissioner H. Collier (DE) seconded. Minutes approved as drafted.

Discussion

CT firearms legislation's impacts on the retaking process: Commissioner G. Roberge (CT) updated the region about the Public Act No. (P.A.) 23-53 AA Addressing Gun Violence that went into effect in Connecticut on October 1, 2023. The new act is to address Gun Violence by identifying individuals placed on probation as 'Serious Firearm Offenders' (SFO) based on either two convictions for serious firearm offenses; or a combination of a conviction for a serious firearm offense and prior specific 'Connecticut' conviction(s) and holding them to stricter supervision standards.

He continued that the Public Act requires "whenever a probation officer has probable cause to believe that a person on probation who is a Serious Firearm Offender has violated a condition of probation or knows that a person on probation for a felony conviction has been arrested for the commission of a Serious Firearm Offense to: Apply for a violation of probation warrant; or Request that a police officer make a warrantless arrest for violation of probation." Both incoming and outgoing cases will be reviewed to determine if a supervised individual will be identified as a 'Serious Firearm Offender'.

Chair D. Crook (VT) will follow up on the matter at the future region meetings.

Are there any policy or practice issues around current trends or compact procedures your state has encountered since the last region meeting? Commissioner H. Collier (DE) noted that Delaware's legislature is discussing probation reform. She will inform the region about the outcomes of the reform if it passes.

Chair D. Crook (VT) noted that Vermont recently adopted changes to its supervision practices. A probation officer must submit a motion for discharge to the courts when a probationer is at midpoint of their term, has no filed violations, and is engaged in risk reduction services.

Commissioner C. Stephens (PA) noted that Pennsylvania adopted a similar law that will go into effect in May. Pennsylvania's Compact Office is working on outlining details of the law to share with the region at a future meeting.

Commissioner M. Charton (NY) noted that New York noticed some implications from its recent bail reforms. The Compact's supervised individuals who are being arrested on serious charges, are being released after 30 days of incarceration and then picked up again because of their outstanding warrant. In New York, it can take a very long time for disposition of a case.

Executive Director A. Lippert noted that this April, the ABM workgroup will present a 2024 ABM agenda to the Executive Committee for approval. The agenda includes three full working days to review and collaborate on challenging rules and processes. She anticipates that some of these

sessions will have conversations on this matter with the goal of finding the best solution. She asked New York to put together specific concerns to be addressed in the sessions.

Are there any challenges or difficulties your state has encountered when interpreting the rules related to specific Compact cases that need clarification? DCA D. Clark (ME) suggested revising Rule 3.103.

Executive Director A. Lippert noted that the Rules Committee will be meeting next week to discuss this rule. In addition, the ABM workgroup included discussion on this rule prior to and at the upcoming annual business meeting. She asked the region members to send the national office their suggested language changes and justifications.

Commissioner M. Charton (NY) asked to clarify timeframes around probable cause hearings and issuing warrants.

DCA M. Reed (PA) asked about the duration of the timeframe to conduct the probable cause hearing.

Commissioner S. Gagnon (ME) moved to issue an advisory opinion to clarify the timeframes for conducting the probable cause hearing and when the clock starts on the 30-day retaking process. Commissioner T. Hurley (MA) seconded. Motion passed.

New York will outline the questions to be addressed in the advisory opinion.

Are there any potential rule amendments that we need to consider from the region? Commissioner M. Charton (NY) noted that New York is working on an amendment to Rule 3.103. He will contact the national office to schedule an East Region meeting once the proposal is ready for review and discussion.

DCA K. Palmateer (NY) noted that New York recently has been receiving violation reports instead of the progress reports from other states when a new arrest occurs in their state.

Executive Director A Lippert noted that the West Region discussed a similar issue at their recent region meeting. Therefore, the national office is working on a training tool defining the process when to use a violation report vs the progress report as well as the addendum use. Meanwhile, she suggested DCA K. Palmateer (NY) to involve the New York commissioner to resolve the issue.

Old/New Business

There was no old/new business.

Adjourn

Commissioner G. Roberge (CT) moved to adjourn, Commissioner M. Charton (NY) seconded.

The meeting adjourned at 11:46 am ET.