

111TH CONGRESS
2D SESSION

H. R. 4969

To require the Attorney General to make recommendations to the Interstate Commission for Adult Offender Supervision on policies and minimum standards to better protect public and officer safety.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2010

Mr. INSLEE (for himself, Mr. SMITH of Washington, and Mr. REICHERT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Attorney General to make recommendations to the Interstate Commission for Adult Offender Supervision on policies and minimum standards to better protect public and officer safety.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. RECOMMENDATIONS RELATING TO INTER-**
4 **STATE COMPACTS.**

5 Not later than 6 months after the date of enactment
6 of this Act, the Attorney General shall make recommenda-
7 tions to the Interstate Commission for Adult Offender Su-
8 pervision established by the Interstate Compact for the

1 Supervision of Adult Offenders pursuant to section 112
2 of title 4, United States Code, and to submit to Congress
3 a report on whether minimum standards in such Inter-
4 state Compacts should be updated to better protect public
5 and officer safety. The report shall investigate whether
6 Interstate Compact rules should be amended to better pro-
7 tect public safety and improve officer safety. Policies ex-
8 amined should include at least the following, with respect
9 to the transfer of supervision of an adult offender from
10 an originating State of jurisdiction to a receiving State:

11 (1) ICAOS RULE 3.107 ON RELEVANT INFORMA-
12 TION PROVIDED BY SENDING STATES TO RECEIVING
13 STATES BEFORE THE TRANSFER OF AN ADULT OF
14 FENDER.—

15 (A) Whether sending States should provide
16 additional relevant information requested by the
17 receiving State before the transfer is accepted.

18 (B) Whether a complete criminal history of
19 the offender, including their juvenile and
20 misdemeanor record should be required.

21 (C) Whether a description of the offender's
22 criminal activity, including a description of
23 what each crime entailed and pre-sentence in-
24 vestigations for previous convictions, should be
25 required.

1 (D) Whether it is critical for the receiving
2 State to know if an offense was sexually moti-
3 vated.

4 (E) Whether a copy of an up-to-date men-
5 tal health evaluation when there is an indication
6 of mental health issues should be required.

7 (2) MANDATORY “RETAKING” AN ADULT OF-
8 FENDER.—

9 (A) Whether amendments should be made
10 to allow the receiving State to return the of-
11 fender to the originating State.

12 (B) Under what process a retaking of an
13 offender by the originating State could occur at
14 the petition of such originating State.

15 (C) Whether an originating State’s super-
16 vision responsibilities have been terminated by
17 the issuance of an abscond warrant from the re-
18 ceiving State.

19 (3) ISSUANCE OF ABSCOND WARRANTS FROM
20 SENDING STATES.—

21 (A) Whether an originating State is obli-
22 gated to keep the abscond warrant in place
23 until the offender has been returned to the orig-
24 inating State.

1 (B) What information-sharing responsibil-
2 ities originating and receiving States should
3 have with respect to other States for purposes
4 of protecting other States' public safety.

5 (C) Whether the originating State, appre-
6 hending State, or previously receiving State has
7 supervision responsibilities.

8 (4) RECEIVING STATE AUTHORITY TO ISSUE
9 WARRANTS.—

10 (A) Whether receiving States should be
11 vested with the authority to issue a warrant for
12 the offender's arrest and detention until the
13 originating State has retaken the offender.

14 (B) Whether additional authority is nec-
15 essary for receiving States when community
16 safety is at risk.

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