

111TH CONGRESS  
2D SESSION

# S. 3169

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.

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IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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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