



Interstate Commission for Adult Offender Supervision

Executive Committee Meeting MINUTES

November 20, 2019 • 12:00 pm ET
Teleconference

Members in Attendance:

1. Jeremiah Stromberg (OR), Chair
2. Hope Cooper (KS), Vice-chair
3. Gary Roberge (CT), Treasurer
4. Chris Moore (GA), Information Technology Chair
5. Russell Marlan (MI), Midwest Region Chair
6. Allen Godfrey (MN), Compliance Committee Chair
7. Roberta Cohen (NM), West Region Chair
8. Dale Crook (VT), East Region Chair
9. Joselyn Lopez (WI), Training, Education and Public Relations Committee Chair
10. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio

Members not in Attendance:

1. Mary Kay Hudson (IN), Rules Committee Chair
2. Julie Kempker (MO), South Region Chair
3. Bette Inch (NOVA), Ex-Officio

Guests:

1. Tina Balandran (TX)
2. Brandon Watts (TX)

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
6. Kevin Terry, Website Analyst

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 12:00 pm ET; eight voting members were present, establishing a quorum.

Agenda and Minutes

Commissioner R. Cohen (NM) moved to approve the agenda. Commissioner R. Marlan (MI) seconded. Agenda approved as presented.

Commissioner A. Godfrey (MN) moved to approve the minutes from October 7 & 9, 2019 meeting as drafted. Commissioner H. Cooper (KS) seconded. Minutes approved as written.

Discussion

Chair J. Stromberg (OR) invited Commissioner D. Crook (VT) to present his report first as he had to leave the meeting early.

East Region Report: Commissioner D. Crook (VT) stated that the East Region had not met since the Annual Business Meeting. The region scheduled two meetings in the upcoming months.

Compliance Committee Report: Commissioner A. Godfrey (MN) reminded the committee that there were states referred to the Compliance Committee for failing to reach the 80% passing threshold on compliance standards. New Mexico, Utah, and the U.S. Virgin Islands remained in noncompliance after being given an additional quarter. The national office was working with the commissioner of the U.S. Virgin Islands to bring the territory into compliance. The territory was working on a corrective action plan (CAP) due in December.

The Compliance Committee recommended the Executive Committee to require a Corrective Action Plan from New Mexico and Utah per the ICAOS Compliance Audit Policy 5-2009.

Commissioner D. Crook (VT) moved to accept the Compliance Committee's recommendation to require New Mexico and Utah to complete a Corrective Action Plan within 30 days addressing their non-compliance. Commissioner R. Marlan (MI) seconded.

Commissioner R. Cohen (NM) abstained.

Motion passed.

Commissioner A. Godfrey (MN) stated that at the last meeting, the Executive Committee instructed the Compliance and Rules committees to collaborate on the FY21 audit planning. The workgroup will meet on December 2 to develop follow up questions for the FY21 audit based on the FY20 results to further emphasize state's responsibilities around warrant issuance and tracking.

DCA Liaison Committee Report: DCA T. Hudrlik (MN) stated that the DCA Liaison Committee met on November 7. The committee reviewed the post ABM survey results and identified potential topics for the 2020 DCA Training Institute - NCIC system changes, warrant compliance, progress reports, and quality of work in the compact office and field. The DCA Liaison Committee recommended utilizing real-life scenarios and table level discussion throughout the ABM sessions.

DCA T. Hudrlik (MN) noted that the DCA Quarterly Newsletter would be launched in the first week of December.

DCA T. Hudrlik (MN) delivered the ICAOS Rules training for over 200 new officers in Massachusetts this November. She added that this training received a lot of positive feedback.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Commission continued to be in solid financial shape. All states paid their annual dues, except for the U.S. Virgin Islands. The national office was working with the territory to ensure the compliance.

Commissioner G. Roberge (CT) added that the only large project, the Commission anticipated in the upcoming year, was the Training Integration Project.

Technology Committee Report: Commissioner C. Moore (GA) stated that the Technology Committee recommended the approval of ICOTS Training Integration Plan to reduce the number of ICOTS Help Desk tickets related to training. He presented the ICOTS help desk tickets chart to the committee. The chart outlined the difference between those tickets involving escalation to Appriss and total tickets created from training-related issues. Training-related tickets accounted for over 81% of all tickets for the last three years.

Commissioner C. Moore (GA) presented the ICAOS website statistics to the committee. Since launch of the new ICAOS website in mid-2017, the usage had continued to increase year over year. The number of new users rose 16% and the total number of page views went up 5%.

Commissioner C. Moore (GA) continued that recently, three ICOTS bugs were identified and resolved. The first involved errors submitting a CAR into workflow and was addressed on October 2nd. The second bug involved errors with PDF attachments on the transfer request activity and effected many users. The third issue was rare, but limited the option to return an offender on an RVR in some instances. These bugs were resolved on October 31st.

Commissioner C. Moore (GA) stated that Appriss began development on the new approved rule amendments with an effective date of April 1st, 2020.

The Technology Committee met on November 14 to discuss two recommended enhancement requests from the DCA Liaison Committee. The first request was to add more specific information to the case closure due notifications sent by ICOTS. The second request involved adding the ability for receiving state compact offices to remove the requirement for retaking on a Violation Report after a response was sent. Both enhancement requests were approved at the meeting and would begin the process for approval laid out in the policy, which included a comment period and final approval at the upcoming Annual Business Meeting.

Rules Committee Report: Executive Director A. Lippert informed the committee that Commissioner D. Clark (SD) accepted an appointment as Deputy Secretary of the South Dakota Department of Corrections and had to step down from his Commission's role. Chair J. Stromberg (OR) appointed Commissioner M. Hudson (IN) as the new Rules Committee chair. The Rules Committee will meet in December 2019.

Training Committee Report: Commissioner J. Lopez (WI) stated that the Training Committee met on November 18. The committee discussed the new Compact Staff Training plan on approved rule amendments. Based on this plan, the Training Committee would provide an amendments recap and ICOTS enhancement update on December 3 and 4 following with a detailed training with ICOTS screen shots in January or February. March and April would be open for states to provide in-state trainings and to request technical and training assistance if needed.

The Training Committee also discussed difficulties with new Rule 3.110 Travel Permit trainings. This rule was based on states' internal travel permit policies and was not part of the ICOTS managed activity making it difficult for the national office to ensure its compliance. She asked the committee members to email the national office their training ideas and examples for this rule.

ABM Workgroup Report: Commissioner H. Cooper (KS) presented the post ABM survey results to the committee. She stated that this year, the national office sent one survey link to commissioners and another one to DCAs to get a better understating of the feedback. The DCAs expressed the need for technical sessions and the commissioners suggested having more sessions with open discussion and collaboration between the states.

She continued that the ABM 2019 survey results reflected a more than acceptable rating for the meeting location, accommodations, and meeting environment. There was minimal negative feedback. Most of the respondents downloaded the new ABM meeting app and strongly agreed the download, install, use, information quality was easy and useful, indicating they would use it again, if offered at next year's ABM.

She added that the ABM workgroup meets on January 28 in Nashville, TN to work on the agenda for the 2020 Annual Business Meeting.

Midwest Region Report: Commissioner R. Marlan (MI) stated that the Midwest Region had not met since the last Executive Committee meeting. The region will meet in February 2020.

South Region Report: Executive Director A. Lippert stated that the South Region had not met since the last Executive Committee meeting.

West Region Report: Commissioner R. Cohen (NM) stated that the West Region was meeting on January 22, 2020.

Executive Director Report: Executive Director A. Lippert stated that there were commissioner vacancies in Texas and Arkansas.

Executive Director A. Lippert stated that Indiana contacted her about a case where Arizona rejected a transfer of an offender subject to home detention requirements citing compact ineligibility. She noted that the Advisory Opinion 3-2015 addressed offenders subject to home detention as compact eligible.

She added that this case was a mandatory case and the offender had family support and employment in the receiving state. The transfer process had started in July 2019 with Indiana submitting another transfer request addressing AZ requirements in October 2019. The receiving state had until December 8, 2019 to complete their investigation. She noted that at this point, no other action was required from the committee since no formal complaint had been submitted and Arizona was cooperating.

She added that General Counsel R. Masters reviewed the case and confirmed the eligibility and mandatory status of the offender.

Commissioner A. Godfrey (MN), the Compliance Committee chair, stated that impeding the efficiency and effectiveness of offender transfers violated ICAOS Bylaws. He noted that there was no mechanism to address the impediment of efficiency of compact transfers since it fell outside of established ICAOS rules and regulations and wondered if further review of this perspective was needed.

Executive Director A. Lippert stated that the national office was pleased with the post ABM survey results. The ABM Workgroup will use this feedback to put together the next business meeting's agenda.

Executive Director A. Lippert stated that ex-officio member Amie Ely, National Association for Attorneys General (NAAG), recommended ICAOS to reach out to National District Attorneys Association (NDAA) to recruit them into the ICAOS Ex-Officio members.

She added that current Ex-Officio Association of Prosecuting Attorneys (APA) was a much smaller organization than NDAA with less than 100 members who made up predominantly large, metropolitan jurisdictions. NDAA had the same jurisdictions, plus a large majority of the medium and small size agencies around the country, which outnumber the large ones. They had around 5,500 members across the country and functioned similar to APA. NDAA expressed its interest in joining ICAOS as an ex-officio member. She recommend inviting NDAA to become Commission's ex-officio member and ask APA to step down, since there was no need to have both organizations.

Chair J. Stromberg (OR) stated that a district attorney on his State Council was a member of NDAA who also agree with Executive Director Lippert's assertions.

Commissioner R. Cohen (NM) was in agreement that NDAA would be a better fit in for the Compact.

The committee will continue its discussion on this matter at the upcoming meetings.

Executive Director A. Lippert added that ex-officio A. Ely also connected her with NAAG Training Representative Mr. Tesfu. He inquired why Northern Mariana Islands, Guam, and America Samoa were not part of the Compact. She noted that the Compact had a similar discussion in the past and at that time the cost to join was not beneficial to the islands due to a low number of transfers occurred in a year. Mr Tesfu has offered to arrange a conference call with the small territories to restart those conversations. He also offered to assist the Compact in conducting a webinar on the Compact to the members of NAAG.

Executive Director A. Lippert stated that the Technology Committee recommended the Executive Committee approve the Training Integration Project. The project would integrate training directly into ICOTS activity screens. These tools would expand on existing training and allow users to streamline training updates when new modifications are made. Currently, ICOTS had a difficult to navigate multiple page user PDF manual that was rarely accessed.

Executive Director A. Lippert noted that over 80% of current help desk tickets were related to training. The new training tools would be accessible on ICOTS screens and would provide information without having to look for it in the manual. She added that the project cost \$68,600 to complete and since it was not budgeted ahead of time, the funds would come from reserves.

Commissioner G. Roberge (CT) moved to approve the ICOTS Training Integration Plan with \$68,600 cost. Commissioner J. Lopez (WI) seconded. Motion passed.

Old Business/New Business

Legal Representation: Chair J. Stromberg (OR) stated that General Counsel R. Masters had been with the Commission since its establishment. Currently, the Commission did not have a legal representation succession plan. It would be difficult to locate an experienced compact lawyer, if the Commission suddenly lost R. Masters. In addition, the counsel was involved in many other projects and had limited time for Commission business. He added that R. Master increased his rate from \$100/hr. to \$150/hr. starting in January 2020.

Chair J. Stromberg (OR) and Executive Director A. Lippert met General Counsel R. Masters to discuss a succession plan. After a good discussion R. Masters agreed to submit a plan for ongoing legal work for review by the first of the year.

Executive Director A. Lippert noted that she anticipated increased in legal fees with new representation.

The committee will continue its discussion at the next meeting.

Adjourn

Commissioner G. Roberge (CT) moved to adjourn. Commissioner C. Moore (GA) seconded.

The meeting adjourned at 1:02 pm ET.