



Interstate Commission for Adult Offender Supervision

West Region Meeting MINUTES

July 24, 2018 · 2:00 PM ET
Teleconference

Members in Attendance:

1. Shawn Arruti Chair, Nevada
2. Jeremiah Stromberg Vice-chair, Oregon
3. Carrie Belden Alaska
4. Dori Littler Arizona
5. Merideth McGrath Colorado
6. Dwight Sakai Hawaii
7. Roberta Cohen New Mexico
8. Coltan Harrington Wyoming

Members not in Attendance

1. Anthony Pennella California
2. Denton Darrington Idaho
3. Cathy Gordon Montana
4. James Hudspeth Utah
5. Mac Pevey Washington

Guests:

1. Kathryn Luth Alaska
2. Chris Smalling California
3. Devon Whitefield Colorado
4. Andrew Zavaras Colorado
5. Brook Mamizuka Hawaii
6. Deon McDaniel Nevada
7. Victoria Vigil New Mexico
8. Mark Patterson Oregon
9. Jennifer Calvo Utah
10. Tanja Gilmore Washington
11. Pat Odell Wyoming

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, Project Manager

6. Kevin Terry, Website Analyst

Call to Order

Commissioner S. Arruti (NV) called the meeting to order at 2:00 pm ET, eight out of thirteen members were present; a quorum was established.

Agenda

Commissioner D. Littler (AZ) moved to approve the agenda. Commissioner J. Stromberg (OR) seconded. Agenda approved.

Minutes

Commissioner D. Littler (AZ) requested to make the following change on p. 5. – “Commissioner D. Littler (AZ) suggested adding *active restraining order* instead of ~~defying~~ defining the domestic violence concept.”

Commissioner D. Littler (AZ) moved to approve the minutes from May 3, 2018 as amended. Commissioner R. Cohen (NM) seconded. Minutes approved.

Discussion

IVINS/VINEWatch Discussion: Executive Director A. Lippert informed the region that IVINS, a victim notification service, was not functioning the way it was designed. The Executive Committee was evaluating IVINS total cost and usage by states to make it more user friendly or discontinue the service. The national office sent out a survey to determine how states comply with the victim notification rule and what, if any, automated systems states use for victim notification.

Executive Director A. Lippert shared the challenges in determining IVINS usage. It is clear from the data that five states are using it as their notification tool. Other states with a handful of notifications don't appear to have implemented the system throughout their state but do have victims registering against it.

Commissioner J. Stromberg (OR) stated that the Executive Committee allocated time for a comprehensive IVINS discussion at the Annual Business Meeting and encouraged Commissioners to give consideration to the issues and how the Commission might resolve them

Executive Director A. Lippert added that the Rules Committee was scheduled to discuss rules around victim notifications and their accountability at its August meeting.

Compliance Audit 2019-2020: Executive Director A. Lippert stated that all states should have received a letter on FY 2019-2020 compliance audit. The FY 2019 compliance audit will assess each state's adopted internal policies and procedures for ICOTS user administration. This audit will ensure member states have established internal policies and procedures for ICOTS user management in accordance with the ICOTS Privacy Policy. She added that states need to provide copies of their adopted internal procedures and policies for ICOTS user administration and information sharing by September 1, 2018. The national office will analyze them on a quarterly basis with the intent of concluding the audit no later than April 2019.

The FY 2020 compliance audit will review state procedures for issuing warrants when retaking is required.

DCA West Region Meeting Update: DCA M. Patterson (OR) stated that the West Region DCAs met in June to discuss Arizona's rule proposals and PC hearing scripts. He added that as of June meeting, there were no concerns reported.

Draft Rule Amendments: The region reviewed proposal to Rule 5.103-1 presented by Commissioner D. Littler (AZ).

Rule 5.103-1 a. "Within ~~five~~ **fifteen business days ~~upon~~ of receipt of an absconder violation report...."**

Justification: The current language of "upon receipt" is a mandate that is hard to comply with, especially with probation cases. "Upon receipt" is also open to interpretation. Other ICAOS Rules provide time frames for warrants (Rule 5.103, within 15 business days, for example). A time frame for the warrant should be clear in this rule.

The region decided that five business days were not enough to issue a warrant by a probation compact office. The region amended the proposal by changing five days to fifteen days.

Commissioner D. Littler (AZ) moved to forward amended proposal to Rule 5.103-1 to the Rules Committee for consideration. Commissioner R. Cohen (NM) seconded. Motion passed.

DCA Liaison Committee: Commissioner S. Arruti (NV) stated that the DCA Liaison Committee chair Hudrlik (MN) was looking for commissioners to serve on her committee. He asked Commissioners to consider joining.

New Business

Amendment to Rule 3.101: The region reviewed proposal to Rule 3.101(a)(1) presented by Commissioner M. McGrath (CO).

Rule 3.101-1 - Mandatory reporting instructions and transfers of military, families of military, family members employed, employment transfer, and veterans for medical or mental health services

(a) At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer for:

1. *Transfers of military members*—An offender who is a member of the military and has been deployed or stationed by the military to another state, shall be eligible for reporting instructions and transfer of supervision. A copy of the military orders or other proof of deployment/military station for the military member shall be provided at the time of the request.

Commissioner M. McGrath (CO) stated that Colorado had an issue with interpreting Rule 3.101-1. She noted that *stationed* and *deployed* had different definition. She would like to add *stationed* and *military station* to Rule 3.101-1 to avoid any confusion in the future.

Executive Director A. Lippert inquired if other states experienced similar issues with this rule. She noted that the Rules Committee recommends adjusting rules based on multiple cases from different states.

Commissioner J. Stromberg (OR) suggested West Region Chair Arruti reach out to other region chairs to see if it had been an issue in their states.

The region reviewed proposal to Rule 3.101(a)(5)(A) presented by Commissioner M. McGrath (CO).

Rule 3.101-1 - Mandatory reporting instructions and transfers of military, families of military, family members employed, employment transfer, and veterans for medical or mental health services

(a) At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer for:

5. *Transfers of veterans for medical or mental health services*—An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and who is a veteran of the United States military services who is eligible to receive health care through the United States Department of Veterans Affairs, Veterans Health Administration and is referred for medical and/or mental health services by the Veterans Health Administration to a regional Veterans Health Administration facility in the receiving state shall be eligible for reporting instructions and transfer of supervision provided:
 - (A) the sending state provides documentation to the receiving state of the medical and/or mental health ~~referral~~ referral or acceptance; and
 - (B) the transfer of supervision will be accepted if the offender is approved for care at the receiving state Veterans Health Administration facility.

The region amended the proposal by adding “referral or” to the paragraph (5)(A).

Commissioner M. McGrath (CO) moved to forward amended proposal to Rule 3.101-1 to the Rules Committee for consideration. Commissioner R. Cohen (NM) seconded. Motion passed.

Training Coordinator M. Spring asked Colorado to provide proposal’s justification for the Rules Committee’s consideration.

The region will meet face-to-face on October 2, 2018.

Commissioner C. Belden (AK) thanked DCA K. Luth (AK) for her service. DCA K. Luth will retire on July 31, 2018.

Adjourn

Commissioner D. Littler (AZ) moved to adjourn. Commissioner J. Stromberg (OR) seconded.

The meeting was adjourned at 3:00 pm ET.