



Interstate Commission for Adult Offender Supervision

West Region Meeting MINUTES

July 29, 2019 · 2:00 PM ET
Teleconference

Members in Attendance:

1. Roberta Cohen (NM), Chair
2. Rebecca Brunger (AK)
3. Dori Littler (AZ)
4. Merideth McGrath (CO)
5. Dwight Sakai (HI)
6. Sheri Sliva (NV)
7. Dan Blanchard (UT)
8. Mac Pevey (WA)

Members not in Attendance

1. Jeff Green (CA)
2. Denton Darrington (ID)
3. Cathy Gordon (MT)
4. Jeremiah Stromberg (OR)
5. Coltan Harrington (WY)

Guests:

1. Lorna Colver (AK)
2. Matthew Poyzer (AZ)
3. Chris Smalling (CA)
4. Devon Whitefield (CO)
5. Victoria Vigil (NM)
6. Mark Patterson (OR)
7. Jennifer Calvo (UT)
8. Tanja Gilmore (WA)
9. Pat Odell (WY)

Staff:

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Barno Saturday, Logistics and Administrative Coordinator
4. Xavier Donnelly, Project Manager
5. Kevin Terry, Website Analyst

Call to Order

Chair R. Cohen (NM) called the meeting to order at 2:03 pm ET, eight out of thirteen members were present; a quorum was established.

Approval of Agenda and Minutes

Commissioner D. Littler (AZ) moved to approve the agenda. Commissioner S. Sliva (NV) seconded. Agenda approved.

Commissioner D. Blanchard (UT) moved to approve the minutes from April 24, 2019 as drafted. Commissioner M. McGrath (CO) seconded. Minutes approved.

Discussion

Executive Director Report: Executive Director A. Lippert stated that the national office launched the 2019 Annual Business Meeting (ABM) registration. This year's ABM will take place in the West Region - San Diego, CA.

The national office completed its annual fiscal year audit and sent out the dues notices to the states. The FY19 Annual Report is in its final draft stage.

DCA Region Chair Election: Chair R. Cohen (NM) thanked DCA J. Mesick (ID) for her service as the DCA Region chair. She announced the new West Region DCA chair - DCA T. Gilmore (WA). DCA Region chairs serve on the DCA Liaison Committee, hold DCA region meetings to discuss topical compact issues, and serve as mentors to new DCAs.

ICOTS Enhancements on Return Reporting Instructions for Transferred Offenders: States reported improved workflow process after the launch of ICOTS Enhancements on Return Reporting Instructions for Transferred Offenders.

Commissioner D. Littler (AZ) inquired about a phone number field that had missing information in a document preview mode. She will send more details and specific examples of the issue to the national office for review.

Annual Compliance Audit: States are working on collecting information for the FY20 compliance audit requested by the national office.

Commissioner D. Blanchard (UT) noted that he received a notice from the Compliance Committee regarding Utah's failure to meet 80% compliance dashboard requirement with Utah's score being 79.66%.

Executive Director A. Lippert stated that there were a few states with one or less percent under the 80% threshold and the Compliance Committee had a lengthy discussion on the issue before settling with this decision.

State Update:

Alaska has a new commissioner and DCA who are getting familiar with their roles. Their state council will be meeting in the next couple of months.

Arizona's Probation and Parole offices met a few weeks ago to prepare their respond for the FY20 compliance audit. The state council meets in September to discuss details and give directions on how to vote on the rule proposals. Arizona continues to provide trainings to Parole and Probation officers as well as its judiciary.

California appointed a new commissioner – Jeff Green. The compact office was preparing for its state council meeting scheduled for September 4 as well as their statewide training scheduled for October.

Colorado has many new staff members on Probation and Parole sides. The compact office put an action plan in place to address some identified compliance issues.

Hawaii is working on addressing the recent compliance audit. The state has been dealing with the travel restrictions to prevent disorderly conduct on one of the islands due to construction of an observatory.

New Mexico is going through leadership transition with the Governor, Secretary of Corrections, and Director for Probation and Parole. Commissioner R. Cohen is working closely with the Governor's office to appoint the new state council members. The compact office recently held trainings for district attorneys and public defenders.

Nevada's compact office has been working on improvements derived from the compliance audit results. They held a statewide training in June 2019.

Oregon had its annual meeting with Idaho and Washington Compact Offices. Oregon and Idaho will have a combined training on North Shuttle System in the upcoming weeks in Boise, Idaho.

Utah's Compact Office is working on addressing compliance areas identified in the audit. They have a state council meeting in August. The compact office continues to provide training to judiciary with every opportunity they have.

Washington reported that recent ICOTS enhancements were working well for their state.

Wyoming's Compact Office is working on the compliance audit requirements. They continue educating their judiciary.

Discussion of New Rule Proposals: Chair R. Cohen (NM) stated the rule proposals' comment period ended on July 1. The Commission will vote on these proposals at the 2019 Annual Business Meeting.

The region reviewed an amendment to Rule 4.109 (c)(3) proposed by the West Region. The proposal requires a copy of warrant to be attached to violation response via addendum in ICOTS. The ICOTS cost to make these changes had not been determined yet.

Commissioner D. Littler (AZ) stated that the Rules Committee recommended revisiting the West Region proposal to Rule 4.109(c)(3) based on the comments submitted during the rule proposal

comment period. She stated that the West Region had three options - to withdraw the proposal, revise the proposal, or leave the proposal as it was. She presented a revised proposal for region's consideration.

Rule 4.109 Violation report(s) requiring retaking

- (a) A receiving state shall notify a sending state of an act or pattern of behavior requiring retaking within 30 calendar days of discovery or determination by submitting a violation report.

- (b) A violation report shall contain-
 - (1) offender's name and location;
 - (2) offender's state-issued identifying numbers;
 - (3) date(s) and description of the behavior requiring retaking;
 - (4) date(s), description(s) and documentation regarding the use of incentives, corrective actions, including graduated responses or other supervision techniques to address the behavior requiring retaking in the receiving state, and the offender's response to such actions;
 - (5) date(s), description(s) and documentation regarding the status and disposition, if any, of offense(s) or behavior requiring retaking;
 - (6) date(s), description(s) and documentation of previous non-compliance, to include a description of the use of corrective actions, graduated responses or other supervision techniques;
 - (7) name and title of the officer making the report;
 - (8) if the offender has absconded, the offender's last known address and telephone number, name and address of the offender's employer, and the date of the offender's last personal contact with the supervising officer and details regarding how the supervising officer determined the offender to be an absconder; and
 - (9) supporting documentation regarding the violation.

- (c)
 - (1) The sending state shall respond to a report of a violation made by the receiving state no later than 10 business days following transmission by the receiving state.
 - (2) The response by the sending state shall include action to be taken by the sending state and the date by which that action will begin and its estimated completion date.
 - (3) When a warrant is issued for retaking, the sending state shall provide the identification number of the warrant as indicated in the National Crime Information Center (NCIC) to the receiving state per Rule 2.104 (a.)

Justification:

This proposal will ensure warrants issued by a sending state are compliant per the ICAOS definition which requires a warrant to be issued and entered in the National Crime Information Center (NCIC). This proposal will aid the receiving state and law enforcement in locating the entry.

Commissioner D. Sakai (HI) stated that the FBI was very protective of distribution and disposal of information from their NCIC database. He suggested requesting their authorization to use and share the NCIC numbers prior to voting on the new proposal.

The region decided it did not have enough information at this time to proceed with the new proposal.

Commissioner D. Littler (AZ) moved to withdraw the West Region proposal to Rule 4.109 (c)(3). Commissioner D. Blanchard (UT) seconded. Motion passed.

Old/New Business

There was no old and new business.

Adjourn

Commissioner M. Pevey (WA) moved to adjourn. Commissioner D. Sakai (HI) seconded.

The meeting adjourned at 3:14 pm ET.