

ND INTERSTATE COMPACT STATE COUNCIL  
MEETING AGENDA  
May 14, 2019  
10 AM - DOCR Conference Room

- 1) New board member
- 2) Old business on admin rule 52 relating to discretionary process for disposition of violation in sending state for new crime conviction
- 3) Proposed rule amendments
- 4) Charging interstate compact fee to the counties per NDCC 12-65-08
- 5) 2018 Compliance dashboard
- 6) 2019 ICAOS audits
- 7) Open discussion, roundtable

ND INTERSTATE COMPACT STATE COUNCIL  
MINUTES FROM MAY 14, 2019 MEETING

The Interstate Compact State Council convened at 10:00 a.m. on May 14, 2019 in the Department of Corrections conference room.

Members present:

Leann Bertsch, Director, DOCR  
Wade Enget (via phone)  
Representative Pat Heinert  
Judge Doug Mattson (via phone)  
Heidi Smith, Victim Representative  
Ken Sorenson, Special Assistant Attorney General  
Amy Vorachek, ND Commissioner, DOCR

Members absent:

Senator Scott Meyer

Guests/Staff present:

Molly Goebel, Special Assistant Attorney General  
Janice Young, ND Deputy Compact Administrator, DOCR

It was moved by Leann Bertsch and seconded by Ken Sorenson to approve the previous meeting minutes.

1. Report from Amy Vorachek, ND Commissioner
  - a. Council membership update.
    - i. Representative Pat Heinert has been appointed to replace Representative Larry Klemin
    - ii. Senator Scott Meyer has been appointed to replace Senator Jessica Unruh
    - iii. Ken Sorenson, DOCR Special Assistant Attorney General is retiring May 31, 2019. Governor's office will be contacted for a new appointment.
    - iv. The DOCR will contact new members to coordinate training on interstate compact.
  - b. Old business on ND administrative rule 52 (AR52) relating to ICAOS rule 5.101-2 on discretionary process for disposition of violation in sending state for new crime conviction. The Supreme Court approved AR52 revisions that were effective March 1, 2019. The DOCR met with Supreme Court Administrator to develop business practices and coordinate webinar training for ND judges on the process.
  - c. Proposed rule amendments for 2019. Based on timing of when amendments were received, ND IC staff will be reviewing proposed rules and reach out to council members on items of concern. The absconder rule drafted by ND

- included revisions suggested by the State Council and will be voted at the annual business meeting this fall.
- d. Charging interstate compact fee to ND counties per N.D.C.C. § 12-65-08. The DOCR notified counties that effective July 1, 2019, the county having jurisdiction over the probationer, upon approval of the application for transfer, shall pay the ND DOCR a fee of \$150. This is to replenish the fund created under N.D.C.C. § 12-65-08(3). However, if the balance in the fund exceeds \$75,000 on June 30 of the immediately preceding fiscal year, the ND DOCR shall waive the fee. The DOCR has not billed this fee to ND counties for over fifteen years because the fund has not dropped below \$75,000. Billing will continue for a minimum of one year and be re-evaluated prior to June 30, 2020. Wade Enget requested an estimate on the number of cases per county so budgets can be prepared.
2. Compliance dashboard and ICAOS audits reviewed by Janice Young
    - a. 2018 Compliance dashboard (see attachment)
      - i. All areas were above national average
      - ii. Two areas were 100% compliance
    - b. 2019 ICAOS audits
      - i. Policy and user administration audit was conducted in February 2019. Deactivated user accounts were updated to correct workflow status. Plus the current DOCR policy was updated to meet ICAOS guidelines. After submitting these revisions to the national office, ND received a pass on this audit.
      - ii. Starting July 2019, states will be audited on absconder warrants and retaking. A random sample of up to 10 cases for a 12-month period will be audited and states will be asked to verify a warrant was issued in accordance with ICAOS rules along with their retaking processes. Since 2017, the DOCR has been tracking ND warrants and any mandatory retaking by ND.
3. Open discussion, roundtable.
    - a. Commissioner Vorachek announced that the 2019 annual business meeting is October 8-9 in San Diego, CA. Janice Young stated that the October council meeting will be rescheduled due to conflict with that meeting. She will coordinate a date with council members.
    - b. Ken Sorenson reported that House Bill 1185 relating to petitions for revocation and reduction of felonies to misdemeanors may be a training topic for webinar training with the ND judges.

It was moved by Ken Sorenson and seconded by Heidi Smith to adjourn.