

*TEXAS STATE COUNCIL FOR INTERSTATE ADULT OFFENDER  
SUPERVISION*

Price Daniel Building  
209 W. 14<sup>th</sup> St. Fifth floor  
*JULY 26, 2018*

**MINUTES**

**I. Call to Order**

Chair, Council Member, called the State Council meeting to order at 9:02 AM, Thursday, July 26, 2018. Those in attendance included:

Brodie “Brody” Burks, Texas Commissioner, Governor’s Appointee

David G. Gutierrez, Chair, Council Member

Jim Murphy, State Representative, Speaker of the House Appointee

The Honorable Michael Keasler, Council Member, Court of Criminal Appeals Appointee

Pam Alexander-Schneider, Council Member, Governor’s Appointee, Victim’s Representative

Pamela Thielke, Council Member, Compact Administrator

Tina Balandran, Council Member, Exécutive Director’s Désignée

**II. Approval of Minutes**

**Motion** by Pamela Thielke to approve the minutes from July 26, 2017, seconded. **MOTION CARRIED.**

**III. Interstate Commission for Adult Offender Supervision Overview (ICAOS) – Heather Clark**

An overview of the Interstate Compact for Adult Offender Supervision was presented to the State Council members. In 2001, the National Institute of Corrections and the Council of State Governments began discussions about changes to the compact, and influenced by Pat Tuthill because of the brutal rape and murder of her daughter Peyton Tuthill. Ms. Tuthill is an Ex-Officio and a Victims’ Advocate for the Interstate Commission for Adult Offender Supervision (ICAOS). The offender was convicted in Maryland and allowed to transfer to Colorado for drug treatment, without notification to the State of Colorado. The offender had unsuccessfully discharged from drug treatment and the offender never resumed supervision. Ms. Tuthill worked to change the compact so that it would be more effective in the movement of offenders across state lines while protecting victims of crime. The compact agreement includes all 50 states, the District of Columbia, Puerto Rico and the US Virgin Islands. The ICAOS requires each state to create a state council, ensure timely notice to victims and create a national offender management tracking system, which supports Texas on daily activities by providing statistical and tracking information. It is referred to as Interstate Compact Offender Tracking System (ICOTS).

The national structure of ICAOS includes the structure break down of four regions and seven National Standing Committees. Ms. Clark informed council members that the National office recommends that a Commissioner should be on at least one committee. The commissioner chooses the committee with guidance from State Council Members.

The commissioner works closely with the Parole Division and the Texas Interstate Compact office (TX ICO) when National Office proposes new rule changes with discussions held and should always occur among affected users. New rule proposals occur every two (2) years and are sent to probation chiefs and parole division staff to obtain their input.

Ms. Clark announced the next ***Rules Committee Meeting*** will be held on August 8, 2018 at 1p.m. CST.

#### **IV. Report from the Texas Interstate Compact Office – Tina Balandran**

*Texas Interstate Compact Report*: a copy of the organizational chart of the local Texas Interstate Compact Office, managed under the direction of the Texas Department of Criminal Justice (TDCJ) Parole Division. The compact office, comprised of 12 individuals, manage thousands of probation and parole cases as it relates to various transactions that occur among the states and territories. Texas Interstate Compact Office staff process an average of 12,000 documents a year.

##### **A. Supervision Totals –To Texas (Inbound) and From Texas (Outbound) parole and probation cases between 2010 thru 2018.**

- The top five states transferring offenders to Texas are: Arkansas, Colorado, Georgia Louisiana, and Oklahoma.
- The top five states where Texas transfers offenders to are: Arkansas, California, Florida, Louisiana, and Oklahoma.
- Transfer requests through the offenders supervising officer and must meet eligibility criteria. A receiving state can reject transfer with valid reason.
- All request are completed through the ICOTS system with review from the TXICO.
- Each state determines their ability to effectively monitor imposed conditions from the sending state.
- The Interstate Compact office continues to monitor the case when the offender has transferred to the other state.
- Texas is able to accept most conditions other states impose and will work collaboratively with other states so the offender can have a positive transition.
- Texas supervises other states offenders as they would a Texas offender.

- The retake process can be lengthy due to the requirements. Specific steps and ensuring graduated sanctions were conducted prior to returning the offender back to the sending state, are necessary.
- The sending state has 10 days to retake the offender from our state.
- Offenders are in Texas because of family support. Interventions and addressing their behavior allows continued supervision whether on probation or parole.
- When an offender is incarcerated their transfer request is usually received 4 months from the date of parole or their parole vote because the approval remains open for 120 days from the time of submission.
- All states have up to 45 days to approve or deny the transfer request.

**B. Compliance Percentages-** Ms. Balandran provided the compliance standards and averages for the 2<sup>nd</sup> quarter from April 2018 - June 2018. We would like to maintain the average at 100% or as close to 100% when possible.

**C. Rule Amendments-** Ms. Balandran states that there are no proposed rule amendments at this time.

**D. Trainings-** Ms. Balandran gave a brief overview of how we prepared for previous rule/enhancements trainings. Texas Interstate Compact Office conducted trainings via web-ex during the months of March and April for probation and parole ICOTS users.

**V. ICAOS proposed FY2019 and FY2020 Audit – Tina Balandran**

**A. Audit-** Ms. Balandran reported the FY19 audit will be analyzing ICOTS Users and Administrators to ensure we are deactivating ICOT users in a timely matter. We are currently preparing for this audit. We are setting procedures in place for both refresher training and new ICOT user training. We have 300 parole and 900 probation ICOTS users.

FY20, audit will be looking at procedures for warrant issuance when retaking is required. Currently there are 1400 parole officers, with 300 being ICOTS users. Included in the audit are all ICOTS users. For Parole ICOTS users the responsibility of ensuring all transmitted request are accurate and submitted timely are the unit and parole supervisors. While Probation ICOTS user responsibility varies, from the supervising officer to the probation chief, depending on the size of the county.

Texas Interstate Compact office staff are the gatekeepers, we review those request and submit them to the other state when the items are correct or if they need additional information, we will request corrections and send back to the responsible ICOT user. Although the responsibility varies from parole and probation it is still an approval process that goes through the compact office.

**VI. Report from Texas Interstate Compact – Tina Balandran**

Highlights from the 2017 Annual Business Meeting. The Texas Interstate Compact office was involved in discussions during the 2017 Annual Business meeting regarding six (6) rule amendments.

Ms. Balandran advised that this year's *Annual Business Meeting* would be held in Orlando, Florida October 1<sup>st</sup> - October 3<sup>rd</sup>, 2018.

*Fees* - State Dues Assessment for FY19 will remain the same as FY18. According to the National office, the Commission has the authority to review State Dues every two (2) years.

*First Quarter Audit* - a brief overview of the Audit held during the first quarter months, from January, 2018 – March, 2018. The audit included offender photos and quarterly performance compliance.

**VII. Determination of next meeting date**

Chairman Gutierrez recommends the State Council meet twice a year. Council Members agreed to meet in January, 2019 and July, 2019.

**VIII. New Business**

Commissioner Brody Burks introduced himself and provided an overview of his portfolio.

**IX. Adjournment**

**Motion** by Chair Gutierrez, State Council Meeting adjourned at 10:06 AM. Judge Keasler seconded motion. **MOTION CARRIED.**