



Interstate Commission for Adult Offender Supervision

Training, Education, & Public Relations Committee MINUTES

May 7, 2018 · 2:00 pm ET
Teleconference

Members in Attendance:

- | | |
|-------------------|----------------|
| 1. Anne Precythe | Chair, MO |
| 2. Dara Matson | IL |
| 3. Joseph Clocker | MD |
| 4. Russell Marlan | MI |
| 5. Roberta Cohen | NM |
| 6. Mark Patterson | Ex-officio, OR |

Members not in Attendance:

- | | |
|----------------------------|----------------|
| 1. Chris Moore | GA |
| 2. Scott McCaffery | ME |
| 3. Hope Cooper | KS |
| 4. James Parks | VA |
| 5. Tim Strickland | Ex-officio, FL |
| 6. Sally Reinhardt-Stewart | Ex-officio, NE |

Guests:

- | | |
|----------------------|----|
| 1. Natalie Latulippe | CT |
| 2. Judy Mesick | ID |
| 3. Mathew Billinger | KS |
| 4. Julie Lohman | VA |

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 A. Precythe (MO) called the meeting to order at 2:00 pm ET. Five voting members were present, a quorum was established.

Agenda

Commissioner D. Matson (IL) moved to approve the agenda as presented. Commissioner R. Marlan (MI) seconded. Agenda approved.

Approved on 8/9/2018. B.S.

Minutes

Commissioner R. Cohen (NM) moved to approve the minutes from January 29, 2018 as written. Commissioner J. Clocker (MD) seconded. Minutes approved.

Discussion

Commissioner A. Precythe (MO) welcomed the committee members.

Newly reformed DCA Liaison Committee: Commissioner A. Precythe (MO) stated that a DCA will soon serve as the DCA Liaison Committee chair and an ex-officio member of the Executive Committee. Commissioners should provide their recommendation to the national office by May 15.

DCA Training Institute Agenda: At the last committee meeting, Commissioner A. Precythe (MO) asked the DCA region chairs to discuss and identify the most relevant and beneficial Training Institute workshop topics in their DCA region meetings. Training Coordinator M. Spring included that feedback in the DCA Training Institute agenda.

The regions agreed to setup the room with roundtables for 8 to 10 people. The committee will discuss if there is a need for seat assignments at a later meeting.

Commissioner A. Precythe (MO) asked the Training Committee members to email the national office if they want to present or moderate any particular sessions.

Based on the DCA regional feedback to focus the Institute on topics pertaining to Supervision & Retaking issues, Training Coordinator M. Spring presented a draft DCA Training Institute agenda to the committee with action items for both the committee and DCA region chairs.

The Committee review several ideas for an opening team building exercise. The *Icebreaker survey question* with Word Cloud results was chosen which will consist of participants using their smart phones to answer a survey question. The survey can be emailed, texted (using an app) or accessed via a QR code. The survey results would then be displayed on a projected screen for discussion on the Word Cloud results. Suggestions for survey questions include:

- In a few short sentences, what are the most important roles of a DCA?
- What do you expect to get out of this event/training/workshop?
- Using one word, what themes do you want to hear about?

DCA J. Lohman (VA) stated that the DCA Training Institute provides a lot of useful information that needs to be communicated back to compact offices and suggested keeping minutes for all sessions. Commissioner A. Precythe (MO) encouraged the region reps to involve and/or task other DCAs to keep notes and sharing them with each other after the meeting.

Commissioner A. Precythe (MO) tasked the DCA region chairs to discuss the proposed topics in more detail with other DCAs in their regions and provide specific case examples and content as outlined in the attached document. This feedback is due back by July 15th.

- After the example cases are provided, Commissioner A. Precythe (MO) will meet with the new chair of the DCA Liaison Committee and DCA region reps to formulate ideas for presenting examples in the topics.
- These examples will be particularly important in the discussion of pending charges when an offender is engaging in behavior requiring retaking as the participants at the institute will be tasked to work in groups to identify potential solutions to the problems brought up by other DCAs who have been unsuccessful to resolve.
- DCA N. Latulippe (CT) noted that one of the biggest concern East Region had was when an offender has pending charges and a state cannot hold them indefinitely, nevertheless, the offender continues to have a violation type of behavior. There is a big public safety concern. Commissioner A. Precythe (MO) responded to DCA N. Latulippe (CT) that it will be important to know how states are funneling these concerns in their own states with their own stakeholders as it may be more likely these issues need internal resolutions to ensure the rules are being applied with a priority of public safety.

The committee discussed options for presenting probable cause hearing requirements during the institute. It was decided based on feedback that state's hearing processes differ too much, time constraints and questions circulating on this topic the idea of a mock hearing would be scratched and the presentation will focus on probable cause basics (why offenders are entitled, challenges (particularly in probation cases) for consistency, waiver requirements, etc.)

DCAs D. Littler (AZ) and M. Thompson (PA,) who were both members of the ABM Workgroup will coordinate and lead the end of the day activity.

PC Hearing questions by Florida – DCA T. Strickland was not in attendance, the committee plans to discuss the issue at its next meeting.

New Business

Training Coordinator M. Spring stated that Appriss almost finished with the ICOTS enhancement releases this year. There would be one more enhancement release that requires training. She stated that this training was not time intensive and suggested adding additional topics such as the ones that did not get included to the DCA Training Institute agenda. She asked the Training Committee and DCA regions to provide additional training ideas they want to include to the enhancement training.

Training Coordinator M. Spring informed the committee that the national office was working on revising the Benchbook by making it more user friendly. Eventually, it plans to launch a mobile version of the document.

The committee will meet again in August.

Adjourn

Commissioner R. Cohen (NM) moved to adjourn. Commissioner D. Matson (IL) seconded.

Meeting adjourned at 3:12 pm ET.

2018 DCA Institute Planning (Full day for DCA's and optional for Commissioners to attend)

Date/Location: October 1, 2018; Orlando Florida

Set-up: Round Table/Crescent of 8-10

Seating: *Assignments TBD*

Moderators: Training Committee members

Presenters: TBD (Training Committee w/recommendations from DCA Region Meetings)

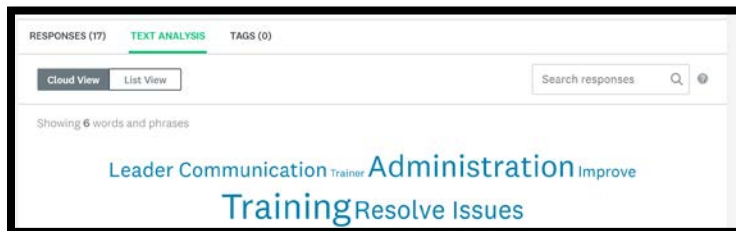
Suggestions: ABM Workgroup discussion, 2017 ABM Evaluation & DCA Region Feedback

8: 30 – 8:45 am Welcome Intro (15 min)

8:45- 9:45 am Team Building activity (1 hr max)

Icebreaker Survey question with Word Cloud results. Using smart phone, survey can be emailed, texted (using an app) or QR code, sign up for remind app for group text, etc.

- In a few short sentences, what are the most important roles of a DCA?
- What do you expect to get out of this event/training/workshop?
- Using one word, what themes do you want to hear about?



9: 45 – 10 am BREAK

10:00 – 11:30 am

Supervision & Retaking Topics

Painting the Supervision Picture –good documentation practices for reporting supervision information and keeping the sending state apprised of the offender's progress while in the receiving state

- *Identify BP's to ensure your state provides the details for the sending state to know how the offender is doing while being supervised in your state.*

- *How do state's policies conform or differ for documentation submitted in ICOTS and policies in place for your state's case management system? Share policies for ensuring your field can interpret expectations for ICOTS info.*
- *What do states have in place for effective documentation review, training end users, etc.*
- *Case progression examples; reinforcing the need for ICOTS users to not just review the activity for rule compliance, but the entire profile to understand what's going on with the situation.*
- *Managing the 'victim sensitive' designation. Clarify that this designation should be used to identify victims requesting notification under Rule 3.108. This to lead into importance of victim notification and examples of how states are facilitating/managing victim notification.*
- *Review the responsibilities and expectations for states to communicate & cooperate while keeping public safety #1 priority when decision-making.*
- *Explain how issues should be elevated through your state and clarify the role of the national office in this process.*
- **NEXT STEPS:**
 - **DCA Region Chairs**
 - **Identify/designate one DCA in their region to talk about efforts/policy changes they have made in their compact operations to ensure GOOD PR's and OVR's are sent.**
 - **Example: In ISC office review, what details do they look for and describe processes in detail to group? How do they keep their staff trained?**
 - **Provide ICOTS examples of both good and bad PR's & OVR's**
 - **Provide ICOTS examples showing case progression from acceptance to retaking. Offender profile #**
 - **Examples of how states are conducting Victim Notification and use of 'Victim Sensitive' indicator. Be clear the indicator should exclusively be used when notifications are required per Rule 3.108.**
 - **Solicit additional presenter/volunteers**
 - **Midwest: Sally NE, Sarah Ball SD confirm**
 - **South: Tim Strickland FL confirm**
 - **West: Tanja WA confirm**
 - **National Office: Work on flow chart**

[Data Review-Historical perspective of the transition from Significant Violation to Behavior Requiring Retaking. *Since this topic was noted to be least import by each DCA region for a primary training topic, consider alternatives for providing this data in the docket book and presented in a committee report during the main session]*

- **NEXT STEPS:**
 - **National Office**
 - **Compare Sign Violations reported July 2016-Jun 2017; BRR July 2017-Jun 2018; absconders, new convictions;**

- Compare to number of CCN (retaking reason) like last year.
- Provide as handout to integrate into discussion of the progress states have made in improving documentation OR use as a transition]
- OR could be discussed in region meetings?

Retaking is required 'upon the request of the receiving state'

- New Convictions (felony/violent crime) should not be considered automatic retakes
- Sending states have discretion to retake under Rule 5.101-1
- BP's for ensuring staff understand when reviewing Violation Reports.
- **National office confirmed Presenter**
 - West: Dori Littler
 - East: Margaret Thompson

Warrants-Identifying BP's for obtaining nation-wide warrants and tracking those warrants through the retaking process.

- *Proposed Idea from Midwest DCAs for Panel?*
- **NEXT STEPS DCA Region Chairs:**
 - Poll states and identify processes being used. In 2016 UT and several other states shared how they use the ICOTS external reports and created a process using an excel template.
 - Are there other/new best practices?
 - Are there states with policies requiring their users to upload copies of warrants into ICOTS? How does this help?
 - Identify at least 1 volunteer in each region with a good process to be shared.
 - Midwest: Suggested Panel with AZ, NY and ND. *Mindy will confirm these 3 states to participate on the panel.*
 - South Region: Identify someone from region to serve on panel.

11:30 – 12:30 LUNCH

12:30 – 2:30 pm

Dealing w/ Pending Charges & Revocable Behavior-Recognizing, understanding and addressing limitations in the receiving state while promoting public safety and purposes of the Compact

- Stakeholder Involvement
- Highlight recent initiatives (training, policy, law, etc.) states have done to smooth processes and conform with Compact Rules around dealing with this issue.
- Revisit the states highlighted last year that have passed legislation or supreme court rulings to ensure they are providing consistent supervision through the retaking process even when dealing with pending charges, Is this issue as elevated in those states?

- Examples to be presented with explanation (15 min,) into round table discussions for the scenarios (45 mins). Share ideas from how states work these cases. *Will wait and see what examples are provided to determine who should moderate discussion at each table. Thoughts are to mix up the region examples (West will get one from East, etc.)*
- **NEXT STEPS:**
 - Each DCA Regions to provide 1-3 ICOTS case examples to share for the training where the rules and effective communication was unable to resolve or address the issue of providing supervision while the offender has new pending charges in the RS.
 - Solicit examples (w/timeline info) and provide ICOTS case info for planning
 - South: Julie VA, Miriam GA
 - Midwest: Suzanne OH, Sarah Ball SD
 - Helpful non-ICOTS information may include:
 - Specific steps EACH state took to attempt to resolve the particular issue.
 - What were each states' end result goal?
 - What specific stakeholders were involved?
 - Is this an issue for states who struggle to comply with Rule 4.101 (meaning if this same situation happened for an offender sentenced in the receiving state would it be different?) *Think about if the limitations are isolated in the receiving state (judicial authority, arrest powers, etc.), how can we communicate with our Commissioners and the sending state to ensure public safety is the #1 priority?*
 - What are the states working on to address this issue in their state?
 - What have you done as DCA to bring this issue to light in your state for solution?
 - Who have you discussed this with? Is this topic a regular conversation with your commissioner?
 - What do your state council members think?
 - Do you feel you've done all you can in your DCA role if say one of these violating offenders does something media worthy?
 - AFTER Case examples are received (due July 15th,) Anne, Mindy, New DCA Liaison Chair and DCA region chairs will reconvene prior to TC meeting and hash out issues to be addressed.
- **PC Hearings (1 hour)**
 - Review of the basics. What is the purpose? What are the requirements?
 - Identify BP's for procedures and policies for establishing PC on compact cases prior to retaking
 - Documentation standards for hearings and waivers
 - Waivers require notification and understanding the offender knows what rights they are waiving.
 - **NEXT STEPS:**
 - Training Committee and National office will work structure and content
 - DCA Regions:
 - Identify any best practices, policies states have in place to ensure good PC procedures. Particularly around probation where consistency lacks in many states.

- Ask for questions DCAs have. Be sure to provide in writing if related to rule language clarification.
- National Office: Work on flow chart

2:30 – 2:45 BREAK

2:45 – 4:00

- **Reacting to Subpoenas for Receiving State officers to testify in the Sending State at a Violation Hearing (1 hour with time to spare for game set up)**
 - Sending State: Identifying BP's for streamlining communication on this issue with your state's stakeholders.
 - *Why is your state subpoenaing officers for compact cases?*
 - *Can this information be provided in another manner (request additional documentation not provided or clear in the OVR; video testimony, etc.)*
 - Receiving State: Identify BP's for streamlining communication on this issue with your state's stakeholder.
 - *Are these requests related to lack of or poor lacking in the violation report? For technical violations was PC established appropriately and well documented?*
 - *Researching 'why' a subpoena may be issued in a particular compact case. Who, what, why*
 - *Compact does not impose a legal obligation for a receiving state officer to testify in the sending state, however it should be considered that if the offender is NOT revoked, the offender (if eligible) could be transferred back to the receiving state where supervision was deemed 'unsuccessful'-educating stakeholders*
 - State's responsibilities for their users' ICOTS use and data entry; ensure documentation is clear and concise particularly if possibly to be used in a revocation hearing in another state.
 - State's responsibilities to the court(s) involved with these cases as being a resource and liaison to work with the other state involved.
 - Understand the authority of the receiving state to supervise like own so sanctions, corrective actions may vary from what may be done in a case in the sending state, etc.
 - **NEXT STEPS:**
 - **DCA Region Chairs identify up to 3 cases in each region where an officer was subpoenaed in a compact case.**
 - Describe in detail how each state was involved in the situation? (Including Commissioner, legal department, etc.)
 - What was the reason, who initiated the subpoena, how was the issue resolved or if not resolved, what was the result?
 - If the officer didn't go to the sending state to testify, what happened in the case, did revocation happen anyway?
 - **National Office: Draft presentation and be clear that the compact cannot prevent subpoenas. This is a training issue between sending and receiving states' stakeholders.**

4:00 – 5:00

Ending Activity using ARS or interactive Game (DCAs with Commissioners) *similar to Oklahoma 2014* (45 min- 1 hour) *Margaret Thompson & Dori Littler* providing questions.