



Interstate Commission for Adult Offender Supervision  

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Ensuring Public Safety for the 21st Century

## Administrative Policies

Interstate Commission for Adult Offender Supervision

2004 - 2022



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Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2004  
**Issued:** 2004-06-01  
**Revised:** 2022-04-05

Accessing Legal Counsel 02-2004

## **I. Authority**

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives and all persons engaged in the business of the Compact.

## **III. Policy**

### **A. Advisory Opinion Issuance**

Under Commission Rule 6.101, Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all other persons engaged in the business of the Compact may submit a formal or informal request in writing or by email to the Executive Director for assistance in interpreting compact rules. The Executive Director may seek the assistance of legal counsel, the Executive Committee, or both, in interpreting the rules. The Executive Committee may authorize standing committees to assist in rule interpretation. Interpretations of the rules shall be issued in writing by the Executive Director or the Executive Committee and shall be circulated to all states.

### **B. Access to Counsel**

Compact officers and their states may only access the Legal Counsel of the Commission through the Executive Director. Legal Counsel of the Commission shall not communicate directly to anyone in regard to their scope of responsibility to the Commission or engage in direct communication with applicable parties without the knowledge and consent of the Executive Director or Executive Committee.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2006

**Issued:** 2006-03-01

**Revised:** 2022-04-05

Alcohol Consumption 01-2006

## I. Objectives

A. This policy advocates the responsible use of alcohol at business functions for the Interstate Commission for Adult Offender Supervision and ensures that ICAOS funds are being expended in a prudent and reasonable manner in the conduct of official business. It ensures fair and equitable treatment of individuals by defining procedures for authorized consumption of alcohol and is intended to encourage compliance with all applicable laws concerning the service and consumption of alcoholic beverages.

## II. Authorized Expenses

The Interstate Commission for Adult Offender Supervision will not incur the cost of or reimburse for the consumption of alcohol. Should a member of the Commission choose to consume alcohol at a Commission event, it is to be at the member's expense.

## III. Consumption Guidelines

A. Commission members, guests, and employees must be served by a contracted non-drinking server or bartender, and will not be permitted to prepare their own drinks.

B. Food and non-alcoholic beverages must be served or available at all events where alcohol is consumed.

C. All employees and vendors shall follow the applicable state alcohol laws [including vendor responsibility for denying service of alcohol to any person under the age of twenty-one (21); or to visibly intoxicated persons who by their significant uncoordinated physical actions or dysfunction appear to be intoxicated]



Interstate Commission  
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**ICAOS Policies**

**Policy Number:** 02-2007

**Issued:** 2007-03-01

**Revised:** 2022-04-05

Communicating with Members of the Public 02-2007

## **I. Objectives**

This policy ensures that communications with members of the public are handled equally, devoid of judgment, and are consistent with the business objectives of the Interstate Commission for Adult Offender Supervision.

## **II. Applicability**

This policy applies to Commissioner and compact staff solicited regarding matters in other states by the public or the media.

## **III. Policy**

Communications or inquiries involving disputes with another compact state and media inquiries should be coordinated with or channeled through the national office.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 05-2009  
**Issued:** 2009-12-16  
**Revised:** 2023-07-19

Compliance Audit Policy 05-2009

## **I. Mission**

To provide an independent, objective assurance that there is adherence to Commission rules, policies, and procedures.

## **II. Objectives**

The objective of the ICAOS Compliance Audit Program is to provide independent assurance to the Commission that member states are managing the interstate transfer process efficiently, in compliance with ICAOS Rules and in a manner that is consistent with furthering the goals of the Compact.

## **III. Scope**

The scope of the audit program is limited to Commission rules, policies, and procedures.

## **IV. Authority**

Article III of the Compact Statute states in part, “administers enforcement and compliance with the provisions of the compact, its by-laws and as directed by the Interstate Commission and performs other duties as directed by Commission or set forth in the By-laws.”

Article V of the Compact statute states in part, “To enforce compliance with compact provisions, Interstate Commission rules, and by-laws, using all necessary and proper means, including but not limited to, the use of judicial process.”

Article IX Sec. (C) of the Compact Statute states, “The Interstate Commission, in the reasonable exercise of its’ discretion, shall enforce the provisions of this compact using any or all means set forth in Article XII, Section B, of this compact.”

## **V. Access**

The Compliance Committee and designated national office staff, as appropriate, are granted authority for full, free, and unrestricted access to all compact records, files, and information systems. All employees of member states are required to cooperate with the staff of the national office in fulfilling their audit functions and duties.

## **VI. Confidentiality**

Information provided to the national office or the Compliance Committee during the audit shall be handled confidentially. The Executive Director shall ensure that internal staff is instructed in the handling and safeguarding of confidential information.

## **VII. Independence and Objectivity**

The national office reports to the Executive Committee. The Executive Committee hires, evaluates,

retains, and terminates the Executive Director.

The Executive Director shall have the freedom to discuss audit policies, audit findings and recommendations, audit follow-up, guidance issues, and other matters as necessary with the Executive Committee.

## **VIII. Responsibilities and Accountabilities**

A. The Compliance Committee will conduct annual reviews of the audit program and recommend changes to the program, if needed.

B. The Compliance Committee will establish the audit standards and determine the annual audit schedule.

C. Before finalizing an audit report, the state that is the subject of the audit shall be given 30 calendar days to dispute and or respond in writing to any findings of noncompliance. The state's written response shall become part of the final report.

D. All final audit reports are provided to the Compliance Committee for review.

E. When a State or US Territory fails to achieve a compliance rate of 80% or better on established compliance standards, the Compliance Committee will require the State or US Territory to submit a corrective action plan for approval by the Executive Committee (see policy no. [02-2015 on corrective action plans](#)).

F. Noncompliance issues discovered during the compliance audit will be addressed as outlined in the Commission policy titled, "Guidelines for Resolving Compliance Issues."

G. The national office will provide the Compliance Committee with a periodic report summarizing any developing trends in both compliance and noncompliance.

H. The national office will audit each member state or territory annually, unless directed otherwise by either the Compliance Committee or the Executive Committee.

## **IX. Dashboard Standards Enforcement**

A. Each July, the Compliance Committee will review the compliance dashboard standards to determine states that failed to meet the 80% compliance threshold for the prior ICAOS fiscal year.

B. States that fail to meet the 80% threshold for any standard in the prior fiscal year will be notified of the deficiency and given an additional quarter (end of Q1) to come into compliance.

C. States that fail to meet the 80% threshold by October 1 will be required to submit a corrective action plan and given until January 1 (end of Q2) to reach compliance. (See, [AP 02-2015: Corrective Action Plans](#))

D. States subject to a corrective action plan that fail to achieve the 80% threshold by January 1 will be subject to a recommendation of default by the Compliance Committee and the imposition of a penalty of \$10,000 to be held in abeyance until April 1 (end of Q3) of the ICAOS fiscal year.

E. If a state under a corrective action plan meets compliance standards by April 1 (end of Q3), the penalty will continue to be held in abeyance through the remainder of the fiscal year.

F. States subject to a corrective action plan that fail to meet the compliance threshold of 80% by April 1 (end of Q3) shall be required to remit the imposed \$10,000 penalty.



G. The imposed penalty will be waived if a state subject to a correction action plan attains and maintains performance that meets the threshold standard for the third and fourth quarters of the ICAOS fiscal year.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2019  
**Issued:** 2019-02-20

Compliance Sanctioning Guidelines 01-2019

## I. Objective and Application

In addition to a state being required to complete remedial training or technical assistance (which may include a corrective action plan), alternative dispute resolution, or suspension/termination of membership in the compact, monetary penalties may also be assessed in accordance with ICAOS Statute (Article XII, Section B). The Compliance Committee shall review matters of non-compliance and make recommendations to the Executive Committee who makes the final determination regarding penalties assessed to a non-compliant state.

## II. Monetary Penalties

Rule or Statutory Violations	1ST OFFENSE	2ND OFFENSE	3RD OR SUBSEQUENT OFFENSE
Fine	\$0- \$10,000	Up to \$50,000	Up to \$100,000

*Fees and/or costs, including court costs and interest fees, may also be assessed against violating states.*

## III. Determining Factors

The following factors will be considered when determining appropriate sanction within range:

- Whether the violation(s) was a public safety issue or policy issue
- Whether the violation(s) resulted in serious physical injury or death
- The state's relevant disciplinary history and whether they have ongoing patterns of noncompliance
- Whether the state accepted responsibility for and acknowledged the violation(s) prior to detection and intervention
- Whether the state voluntarily employed subsequent corrective measures, prior to detection or intervention to revise general and/or specific procedures to avoid recurrence of violation(s)
- Whether the state was cooperative with ICAOS in its examination and/or investigation of the underlying misconduct
- Whether the state engaged in the violation(s) over an extended period of time
- Whether the state engaged in numerous acts and/or a pattern of misconduct
- Whether the state's violation(s) was the result of an intentional act



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2015

**Issued:** 2015-09-01

**Revised:** 2017-06-20

Corrective Action Plans 02-2015

## **I. Authority**

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the Compact.

## **III. Policy**

When dealing with matters of rule compliance the Executive Committee may require State or US Territory to implement an approved corrective action plan. The purpose of requiring a corrective action plan is to correct and prevent rule violations.

## **IV. Guidelines**

A. When a State or Territory is required by the Executive Committee to submit a corrective action plan the entity must submit the written corrective action plan to the national office within 30 days.

B. All extensions must be approved by the Executive Committee.

C. When the national office receives a corrective action plan it shall be presented to the Executive Committee for approval.

D. All corrective action plans shall be submitted in writing and contain the following information:

1. A problem statement;
2. A description of the desired outcome;
3. The implementation start date;
4. For each task the plan must identify the person responsible, the stakeholders, resources, constraints, due date and the metrics used to measure success;
5. The corrective action plan must be signed by the Commissioner

E. During the implementation quarterly progress reports are required using the format in the attached example;

F. When the plan is fully implemented, the Commissioner of the submitting jurisdiction must notify the national office. Once notified the national office is required to obtain the approval of the Executive Committee.

## Corrective Action Plan Template

- I. State the Problem
  - a. Define the issue, its cause, frequency and impact.
  - b. State what should occur and how the problem will be fixed.
- II. List individuals accountable for the Corrective Action Plan (CAP)
  - a. Who is responsible for ensuring CAP is followed.
  - b. Who is responsible for reporting on the CAP.
- III. Establish Timelines
  - a. Indicate the date the CAP will be implemented
  - b. Ensure there are deadlines associated with each step of the plan and that they are adequate to comply with all the processes.
  - c. Specify the quarterly progress report dates.
- IV. Define the Plan
  - a. Describe the tasks and/or steps developed to resolve the issue.
  - b. For each task, identify the person responsible, the stakeholder, resources, constraints, due dates and metrics used to measure success.
  - c. Determine what, if any, technical and training assistance is needed.
  - d. Outline how the plan will be implemented and ensure it is signed by the Commissioner.
- V. Identify the Resolution
  - a. Specify the actions being taken to prevent the issue(s) from reoccurring.
  - b. Justify how the action being taken will resolve the issue(s).
  - c. Explain how the resolution of the issue(s) will be determined.

## CORRECTIVE ACTION PLAN (Sample)

I. STATE THE PROBLEM:
II. LIST INDIVIDUALS ACCOUNTABLE FOR CAP:
III. ESTABLISH TIMELINES:
IV. DEFINE THE PLAN:
V. IDENTIFY THE RESOLUTION:

Task	Responsible Party	Stakeholders	Resources	Constraints	Metric	Due Date	Percent Complete	Comments




Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 05-2004

**Issued:** 2004-06-01

**Revised:** 2024-03-20

Dues Assessment and Enforcement 05-2004

## I. Authority

The Executive Committee is vested with the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day to day activities managed by the Executive Director. Article X and XII of the Interstate Compact for Adult Offender Supervision and [Rule 2.103](#) provides the Commission with the authority to established and collect dues from each state signatory to the Compact.

## II. Applicability

This policy applies to signatory states to the Interstate Compact for Adult Offender Supervision and Commissioners appointed to represent those states to the national Commission.

## III. Policy

A. Rule 2.103 establishes the authority for the Commission to determine a formula to establish dues to be paid by each signatory state to the Compact.

B. Article VIII of the Interstate Compact states in part *"The Interstate Commission shall promulgate rules in order to effectively and efficiently achieve the purposes of the Compact..."*

C. Article IX, Section C. Enforcement, Section C. *"The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provision of this Compact using any or all means set forth in Article XII, Section B, of this Compact."*

### D. Assessment

1. Rule 2.103 outlines the formula for establishing dues obligations that use population and supervised individual transfer data.
2. Population and supervised individual transfer numbers shall be updated decennially by respectively utilizing completed Census data and an annualized snapshot of supervised individual transfer data from the electronic data system.
3. As authorized by the Executive Committee, states shall be classified in an appended dues tier based on the dues formula and assessed accordingly.

### E. Enforcement

1. Member states shall be invoiced for the annual dues before the beginning of the state's fiscal year.
2. If a member state has not paid its annual dues within the thirty (30) days of the start of the new fiscal year, the national office will send a written reminder to the Commissioner. Interest shall accrue on the balance of the unpaid dues after thirty (30) days at the rate of one percent (1%) per month not to exceed twelve percent (12%) per annum, which shall begin to accrue on the thirty-first (31st) day after which such dues remain unpaid.
3. If a member state has not paid its annual dues within the ninety (90) days of the start of the

state's new fiscal year, the national office will send a written delinquency notice to the Commissioner by registered mail.

4. If a member state has not paid its annual dues within one hundred twenty (120) days of the start of the state's fiscal year, the Executive Director will refer the matter to the Compliance Committee for enforcement action.

## Appendix

### Dues Tiers

Tier	Dues Ratio Range
One	Less than .001
Two	Between .0011 and .00899
Three	Between .009 and .02499
Four	Between .025 and .03999
Five	Between .04 and .05999
Six	Anything .06 and up

*History: Adopted June 1, 2004; amended April 23, 2009; amended June 14, 2011, effective Fiscal Year 2012 (July 1, 2011); amended August 18, 2021.*



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2020  
**Issued:** 2020-03-13  
**Revised:** 2024-03-20

Emergency Guidelines 01-2020

## I. Authorization

[Article I](#) of the ICAOS BYLAWS provides that, the Commission “is established to fulfill the objectives of the Compact” through “the promulgation of binding rules and operating procedures” governing “oversight and coordination of offender transfer and supervision activities...”

[Article VII](#) §1 specifies that the Executive Committee “shall be empowered to act on behalf of the Commission during the interim between Commission meetings...”

## II. Policy

This policy allows consistent treatment of states by defining procedures for providing specific documentation of disruptions of Compact related duties during emergency conditions. This policy is intended to be applied in a limited manner consistent with the duty to maintain required services to the greatest extent possible under the emergency circumstances.

- A. The Interstate Compact Office of any state affected by an emergency shall, to the best of its ability, ensure that Compact duties related to coordination of offender transfer and supervision per terms of the Compact continue.
- B. States must continue to supervise interstate offenders without distinction from supervision of intra-state offenders.
- C. States are required to provide documentation of authority for exercise of any suspension or delay in Compact duties, timelines for such disruptions, and the specific duties affected.
- D. The safety, health, and well-being of supervised individuals, victims, staff, and communities shall be considered when making decisions and determining actions related to Compact duties.
- E. States shall cooperatively work to address each case on an individual basis with an emphasis on communication designed to foster public safety and positive supervision outcomes.
- F. The National Office shall serve as a communications liaison and announce updates and information regarding emergent conditions and affected states.

## III. Scope

- A. This policy shall encompass all types of emergencies that impact fulfillment of Compact duties by states, territories, and districts subject to the Compact. Such disruptive conditions may include but are not limited to:
  - prolonged utility failures;
  - natural disasters;
  - hazardous material incidents;
  - public health crises;
  - terrorist or military attacks;
  - cyber-attacks;
  - presidential executive declarations of emergency;
  - judicial system declarations of emergency; or,
  - gubernatorial declarations of emergency.



- B. Suspensions or delays in Compact duties shall be defined by any period between one (1) and up to sixty (60) days from implementation of such delays and may be extended as specified in Procedures.

## **IV. Procedures**

- A. The Commissioner of any state affected by an emergency as defined in this policy must submit a formal written plan to the National Office if it is determined that the emergency conditions affect the state's ability to perform its Compact duties. Such notice must include:
  - 1. Specific contact information to allow for continued or ongoing communication;
  - 2. Date of effect;
  - 3. Authority by which changes are adopted; and
  - 4. Explanation and description of specific Compact duties affected.
- B. If the emergency prevents the use of the Interstate Compact Offender Tracking System (ICOTS), the affected state shall provide the National Office with a written plan for continuation of vital Compact duties, including submission of essential information consistent with Part A.
- C. During cases involving emergency evacuations or relocations, states that receive supervised individuals from an affected area must notify the Compact Office in the sending state immediately and cooperate with the sending state of original jurisdiction regarding proper transfer documentation.
- D. If essential transportation services are unavailable or severely limited due to government-imposed travel restrictions, airport closures, and/or staff availability, alternative methods for transportation and supervision must be considered and detailed in written plans as required in Part A.
- E. In the event of an emergency affecting a member state's ability to perform its Compact duties the Executive Committee may reconsider compliance standard requirements and enforcement in light of documentation submitted in accordance with Part A and in consideration of the nature and scope of the emergency (See [Administrative Policy 05-2009](#)).



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2018  
**Issued:** 2018-12-19

Enhancement Requests for Electronic System Authorized by the Commission 02-2018

## **I. Authority**

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the Commission's day-to-day activities.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives and all persons engaged in the business of the compact.

## **III. Policy**

This policy provides an orderly process for Commissioners to recommend Interstate Compact Offender Tracking System enhancements. The policy outlines how to submit enhancement requests and changes to the Technology Committee for consideration and action.

## **IV. Objectives**

Define procedures for referring and managing enhancement requests to the electronic information system authorized by the Commission. Outline the responsibilities for request originator, Technology Committee, national office and Commission.

## **V. Procedure**

- A. Enhancement requests or changes may be proposed by majority vote of a standing committee or Region and are referred to the ICAOS Technology Committee. As needed, the national office may also make recommendations for enhancements or changes for the Technology Committee's consideration.
- B. ICOTS enhancement requests or changes must originate from an ICAOS Commissioner using the enhancement form available on the Commission's website. The completed form must be circulated to a Region/Committee Chair and national office at least 5 days prior to Committee/Region consideration.
- C. Upon approval to refer an enhancement or change, the ICAOS Technology Committee shall review the referred enhancement and if necessary:
  1. Make technical modifications prior to posting for comment; and,
  2. Provide explanation for the Technology Committee's support or non-support.
- D. As directed by the Technology Committee, all enhancement proposals shall post for thirty (30) days to allow comment by Commission members.
- E. In consideration of comments received and discussion by the Committee, the Technology Committee shall prioritize enhancement proposals and prepare a final draft for deliberation and approval at the Annual Business meeting of the Commission. A statement of work quote shall be included with the final draft.
- F. The Commission, following regular rules used during the Annual Business Meeting, shall adopt

- and provide budget approval for the enhancement plan.
- G. The Technology Committee may consider emergency changes/proposals outside of the Annual Business Meeting and shall send approved emergency action requests to the Executive Committee for consideration and action on behalf of the Commission.
  - H. Upon approval of an emergency action, the National Office shall immediately notify all Commission Members and shall provide Member comments to the Technology Chair and Executive Committee.

The ICOTS Enhancement Request Form is available on the Commission website:  
<https://www.interstatecompact.org/form/icots-enhancement-request-form>



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2009  
**Issued:** 2009-01-13  
**Revised:** 2022-04-05

Guidelines for Handling Closed Session Minutes 01-2009

## **I. Authority**

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives and all persons engaged in the business of the compact.

## **III. Policy**

In accordance with ICAOS compact statute provisions related to open meetings act requirements, minutes must be kept of all meetings of the Commission and its committees. The ICAOS statute restricts circumstances under which the Commission and its committees may meet in closed sessions. The law is based on the policy that the public right to attend and observe meetings must be respected and consistent with the conduct of governmental business. Meetings involving the regulation of employees, investigations, compliance and enforcement actions, and litigation, are often best discussed in a closed session environment.

This policy outlines the protocol for recording, publishing, and retaining closed session minutes for the Interstate Commission for Adult Offender Supervision or its committees.

## **IV. Procedure for Conducting a Closed Session**

For the Commission or a committee to lawfully meet in closed session, all of the following conditions must be satisfied:

- A. A closed meeting may be held only by motion of the Commission or committee;
- B. The Commission or committee must provide a legally-sufficient basis for closing the meeting, including the specific subject matter;
- C. The meeting must start in open session and properly reconvenes in a closed session;
- D. The motion to meet in closed session (and the vote on that motion) must be recorded in the official minutes of the meeting.
- E. When the Commission or committee is aware of an item or items to be discussed at a closed session in advance of the notice and circulation of the agenda the circulated agenda should include a statement that the body may meet in closed session. (The statement must also identify the subject matter and the statutory basis of the closed session).
- F. At the meeting, the chair should say, "I will now entertain a motion to reconvene in closed session to

review the following matter \_\_\_\_\_.” When a chair entertains this motion to reconvene in closed session, the chair (with assistance from counsel, if necessary), should specifically cite the appropriate sections of the ICAOS statute authorizing this closed meeting [i.e., most likely compact Article VII]. Further, this motion “...shall be carried by majority vote in a manner that the vote of each member is ascertained and recorded in the minutes” In the event the motion fails, the meeting must be conducted in open session. If the motion passes, the meeting will then be closed to individuals other than members of the Commission or committee or individuals invited by the Commission or committee eligible to attend.

G. Secret ballots may not be cast. Balloting can proceed in the following manner: a show of hands; signed ballots to be saved and attached to the minutes; or each person’s vote can be recorded in the minutes; or a roll call vote, if requested by at least one member, with each person’s vote recorded in the minutes.

H. In general, a meeting may not be closed and reconvened again in open session unless the meeting is one in which a closed session is a general business meeting where other non-confidential items, not subject to the closed meeting requirements are on the agenda.

## **V. Distributing Closed Session Minutes**

A. Once closed session minutes are available, they may be distributed to official Commission or committee members via email or hardcopy. Care should be taken to limit access to such meeting materials by non-Commission or non-committee members. Closed session minutes should be appropriately addressed and labeled as “For Your Eyes Only” or “Personal and Confidential.”

## **VI. Preservation and Retention of Closed Session Minutes**

A. Minutes of closed sessions of the Commission or its committees shall remain confidential until it is determined that such records no longer require confidential treatment and are approved for release. Such a determination should be conducted in consultation with legal counsel to the Commission. If there is no need to maintain confidentiality, it can be reported in an open session that the minutes or portions thereof that no longer require confidential treatment are available for public inspection.

B. In some cases, closed session minutes may be recorded with such generality as to not reveal any confidential details, but simply communicate general information. In such instances, it is appropriate for the minutes to be approved and released in open session along with open session minutes.

C. Retaining the records for all minutes of the Commission and its committees is the responsibility of the national office. It is the practice for minutes to be posted to the Commission’s website once approved. Where closed session minutes are recorded and approved, the national office will keep those minutes filed separately.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 03-2008  
**Issued:** 2008-08-01  
**Revised:** 2019-02-20

Guidelines for Resolving Compliance Issues 03-2008

## I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the Compact.

## III. Policy

- A. This policy establishes a proactive process for resolving non-compliance issues before a referral to the Compliance Committee.
- B. The guidelines are intended to promote the resolution of such issues through positive interaction and only seek to invoke punitive sanctions in the most serious cases and/or only as a measure of last resort.
- C. While the guidelines outlined in this policy are intended to assist member states with non-compliance problems by promoting positive working relationships and solutions, it is recognized that this process may not be applicable in all cases and it is not intended to circumvent the powers and duties of the Commission to enforce the provisions of the Compact as specified by statute or rules.

## IV. Procedures

- A. When a non-compliance matter or complaint comes to the attention of the National Office, it will respond by taking the action identified in Level One and continue up through Level Five or until the issue is considered resolved. (*See appendix for Filing a Formal Complaint Template and Guide*).
- B. Five levels for guiding the Commission on compliance matters are identified as follows:
  - 1. Level One: The Executive Director makes contact with the involved Commissioners and attempts to resolve the matter to the satisfaction of both parties. If the matter cannot be resolved it is advanced to Level Two for additional action.
  - 2. Level Two: The Executive Director continues to work to identify an acceptable solution by consulting with the appropriate standing committees, i.e. rules, training, etc.
  - 3. Level Three: The Executive Director attempts to resolve the matter by offering technical assistance to include, securing subject matter experts, on-site training, audit assistance, etc.
  - 4. Level Four: The Executive Director has exhausted attempts to resolve the compliance problem using the methods identified in the first three levels. The Executive Director prepares a report to the Executive Committee recommending that the matter be referred to the Compliance Committee for further action. (See: Compliance Policy and Procedure for Investigating Allegations of Non- Compliance)
  - 5. Level Five: The Compliance Committee finds the non-compliant state in default and assesses a

penalty. (See [Investigating Allegations of Non-Compliance policy 02-2008](#) and [Sanctioning Guidelines policy 01-2018](#)).

## APPENDIX

### Filing a Formal Complaint Template and Guide

Per [Rule 6.101 \(b\)](#), Commissioners may file a formal complaint with the Executive Director when all other attempts to resolve disputes or controversies are unsuccessful. When filing a formal complaint, Commissioners should include the following in a **formal letter addressed** to the ICAOS Executive Director. Please note, a different complaint must be filed for each state.

Complaining State: Contact Information:
Alleged Non-Compliant State:
ICOTS number(s):
ICAOS rule(s) and/or statute allegedly violated:
Outline the complaint(s). Describe the issues, what occurred, and relevant facts:
Provide pertinent dates and a timeline of events:
Provide relevant case information and supporting documentation:
List outcomes from attempts to resolve the conflict or matter with the Commissioner of the alleged non-compliant state:
Summarize the enforcement action being requested:



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2015  
**Issued:** 2015-09-01

Handling Commissioner Vacancies 01-2015

## **I. Authority**

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the compact.

## **III. Policy**

This policy establishes procedures for ensuring that Commissioner vacancies are promptly filled.

## **IV. Procedures**

When the national office becomes aware of a Commissioner vacancy, the following procedures should be followed:

- A. Bring the vacancy to the attention of the Executive Committee;
- B. Contact the deputy compact administrator to determine if the vacancy will be filled in the near future;
- C. If the position is vacant for more than 30 days, contact the agency head where the previous commissioner was employed;
- D. When the position is vacant for more than 60 days, contact the governor's staff responsible for appointments to boards and commissions;
- E. When the position is vacant for more than 90 days, refer the matter to the Executive Committee for formal action.





Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 06-2009  
**Issued:** 2009-04-23  
**Revised:** 2024-03-20

ICOTS Privacy Policy V4.1 06-2009

# **Privacy Policy**

## **Interstate Compact Offender Tracking System**



**Version 4.1**

**Approved 04/23/2009**

**Revised on 3/20/2024**

## **1.0 Statement of Purpose**

The goal of establishing and maintaining the ICOTS is to further the following purposes of the Commission:

- A. Increase public safety and improve national security;
- B. Minimize the threat and risk of injury to specific individuals; including but not limited to: law enforcement and others responsible for public protection, safety, or health;
- C. Minimize the threat and risk of damage to real or personal property;
- D. Protect individual privacy, civil rights, civil liberties, and other protected interests;
- E. Protect the integrity of the criminal investigation, criminal intelligence, and justice system processes and information;
- F. Minimize reluctance of individuals or groups to use or cooperate with the justice system;
- G. Support the role of the justice system in society;
- H. Promote governmental legitimacy and accountability;
  - I. Not unduly burden the ongoing business of the justice system; and
  - J. Make the most effective use of public resources allocated to justice agencies.

## **2.0 Accountability**

- A. The existence of ICOTS will be made public and the system's policies on protection of privacy, civil rights, and civil liberties will be made available to the public upon request.
- B. ICAOS will adopt provisions to ensure accountability for compliance with all applicable laws and policies in the collection, use, analysis, retention, destruction, sharing, and disclosure of information.

### 3.0 Definitions

- A. "ICAOS" means the Interstate Commission for Adult Offender Supervision.
- B. "ICOTS" means the Interstate Compact Offender Tracking System.
- C. "Information" means any data about people, organizations, events, incidents, or objects, regardless of the medium in which it exists.
- D. "Law" means any local, state, tribal, territorial, or federal statute, ordinance, regulation, executive order, policy, or court rule, decision, or order, as construed by appropriate local, state, tribal, territorial, or federal officials or agencies.
- E. "Member Agency" means those states, and their political subdivisions, that are active members of the Interstate Commission for Adult Offender Supervision and the primary users of the ICOTS system.
- F. "Participating Agency" means both member agencies and other justice system partners who share or use the ICOTS system.
- G. "Public" means:
  - 1. Any person and any for-profit or nonprofit entity, organization, or association;
  - 2. Any governmental entity for which there is no existing specific law authorizing access to the participating agency's information;
  - 3. Media organizations; and
  - 4. Entities that seek, receive, or disseminate information for whatever reason, regardless of whether it is done with the intent of making a profit, and without distinction as to the nature or intent of those requesting information from the participating agency.
- H. "Public" does not include:
  - 1. Employees of the participating agency;
  - 2. People or entities, private or governmental, who assist the agency in the operation of the justice information system; and
  - 3. Public agencies whose authority to access information gathered and retained by the participating agency is specified in law. The bulk release of information to either the public, private, or non-profit agencies is permitted only if they are authorized by law and approved in advance by ICAOS.

### 4.0 Compliance with Laws Regarding Privacy, Civil Rights, and Civil Liberties

- A. ICAOS and all participating agencies, employees, and users will comply with all applicable laws protecting privacy, civil rights, and civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of information.
- B. ICAOS will adopt internal operating policies requiring compliance with all applicable laws protecting privacy, civil rights, and civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of information in the system.
- C. ICAOS will conduct periodic audits to measure compliance with all applicable laws protecting privacy, civil rights, and civil liberties in the collection, use, analysis, retention, destruction, sharing, and disclosure of information in the system.
- D. The Health Insurance Portability and Accountability Act ("HIPAA") exempts certain disclosures of health information for law enforcement purposes without an individual's written authorization. The various conditions and requirements concerning these exempt disclosures are contained in the regulatory text of the HIPAA privacy rule and may be found at 45 C.F.R 164 et. seq. Under these provisions protected health information may be disclosed for law enforcement purposes when such disclosures are required by law. Thus, disclosure of protected health information required to be furnished by or received from member agencies that administer the Interstate Compact for Adult Offender Supervision ("the Compact") acting pursuant to the provisions of the Compact and its authorized rules is permissible.

## **5.0 Expectations Regarding Information Gathered and Shared**

- A. Member agencies will adopt internal policies and procedures requiring the participating agency, its personnel, contractors, and users to:
  - 1. Seek or retain only information that is legally permissible for the participating agency to seek or retain under laws applicable to the participating agency;
  - 2. Use only lawful means to seek information;
  - 3. Seek and retain only information that is reliably accurate, current, and complete, including the complete, relevant context;
  - 4. Take appropriate steps when merging information about an individual or organization from two or more sources, to ensure that the information is accurate, complete, and related to the same individual or organization;
  - 5. Investigate in a timely manner any alleged errors and correct information found to be erroneous within thirty (30) days of discovery;
  - 6. Retain information sought or received only so long as it is relevant and timely, and delete or return information that is inaccurate, outdated, or otherwise no longer related to known or suspected criminal, including terrorist, activities;
  - 7. Maintain information and systems containing information in a physically and electronically secure environment and protected from natural or man-made disasters or intrusions;
  - 8. Engage in collation and analysis of information in a manner that conforms to generally accepted practices;
  - 9. Establish procedures that comply with the policies and procedures of ICAOS for accessing information through the participating agency;
  - 10. Allow only authorized users to access the information in ICOTS and only for purposes related to the performance of their official duties;
  - 11. Share information with authorized users of other justice system partners based only on a “right-to-know” and a “need-to-know” basis; and
  - 12. Establish and comply with information retention and destruction schedules.

## **6.0 Sharing Information with Other Justice System Partners**

- A. When there is a question or inquiry about shared data, a participating agency will make information available in response to a query either by:
  - 1. Providing the requested information directly;
  - 2. Responding with the contact information of a person in the responding agency whom the individual making the query can contact;
  - 3. Having a person in the responding agency contact the individual making the query; or
  - 4. Indicating that no information is available.

## **7.0 Disclosure of Information According to the Originating Agency’s Access Rules**

- A. A participating agency will not disclose information originating from another participating agency except as provided for in this agreement or in the operational policies of ICOTS.

## **8.0 Reporting Possible Information Errors to the Originating Agency**

- A. When a participating agency gathers or receives information that suggests that information may be erroneous, may include incorrectly merged information, or lacks relevant context, the alleged error will be communicated within five (5) business days in writing to the ICOTS Administrator, who will then take necessary corrective action consistent with sections 5.0(A)(5) and 15.0(C).

## **9.0 Expectations Regarding Accountability and Enforcement**

- A. Participating agencies will adopt and comply with internal policies and procedures requiring the agency, its personnel, contractors, and users to:
  - 1. Have and enforce policies for discovering and responding to violations of agency policies and this policy, including taking appropriate action when violations are found;
  - 2. Provide training about the agency's requirements and policies regarding information collection, use, and disclosure to personnel authorized to use ICOTS;
  - 3. Make available to the public the agency's internal policies and procedures regarding privacy, civil rights, and civil liberties;
  - 4. Cooperate with periodic, random audits by representatives of ICAOS; and
  - 5. Designate an individual within the participating agency to receive reports of alleged errors in the information that originated from the participating agency.

## **10.0 Enforcement of Provisions of Information Sharing Agreement**

- A. If a participating agency fails to comply with the provisions of this agreement or fails to enforce provisions in its local policies and procedures regarding proper collection, use, retention, destruction, sharing, disclosure, or classification of information, ICAOS may:
  - 1. Offer to provide an independent review, evaluation, or technical assistance to the participating agency to establish compliance.
  - 2. Suspend or discontinue access to ICOTS by a user in the offending agency who is not complying with the agreement or local policies and procedures;
  - 3. Suspend or discontinue the offending agency's access to ICOTS; or
  - 4. Offer to provide an independent review, evaluation, or technical assistance to the participating agency to establish compliance.

## **11.0 Information Sought and Retained**

- A. Participating agencies will seek or retain only information that is:
  - 1. Relevant to the interstate compact transfer process and supervision, investigation and prosecution of suspected criminal, incidents; the resulting justice system response; the enforcement of sanctions, orders, or sentences; or the prevention of crime, or that is useful in crime analysis or in the administration of criminal justice.
  - 2. Collected by criminal justice agencies on specific individuals, consisting of official identifiable descriptions and notations of arrests, detentions, warrants, complaints, indictments, information, or other formal criminal charges, and any disposition relating to these charges, including acquittal, sentencing, pre- or post-conviction supervision, correctional supervision, and release.
- B. Participating agencies will not seek or retain information about an individual or organization solely on the basis of religious, political, or social views or activities; participation in a particular organization or event; or race, ethnicity, citizenship, place of origin, age, disability, gender, or sexual orientation unless such information is:
  - 1. Relevant to whether an individual or organization has engaged in, is engaging in, or is planning a criminal activity; or
  - 2. Needed by the participating agency:
    - a. To identify an individual;
    - b. In order for the agency to operate effectively; or
    - c. To provide services to the individual or accommodate an individual's religious, ethnic, or cultural requests or obligations.
  - 3. The participating agency shall keep a record of the source of all information retained by the participating agency.

## **12.0 Methods of Seeking or Receiving Information**

- A. Information gathering and investigative techniques used by participating agencies will comply with all applicable laws.
- B. Participating agencies will not directly or indirectly receive, seek, accept, or retain information from an individual, non-government or third party information provider, who may or may not receive a fee or benefit for providing the information, if the participating agency knows or has reason to believe that:
  - 1. The individual or information provider is legally prohibited from obtaining the specific information sought or disclosing it to the agency;
  - 2. The individual or information provider used methods for collecting the information that the agency itself could not legally use;
  - 3. The specific information sought from the individual or information provider could not legally be collected by the agency; or
  - 4. The agency has not taken the steps necessary to be authorized to collect the information.
- C. Information gathering and investigative techniques used by participating agencies will be no more intrusive or broad-scale than is necessary in the particular circumstance to gather information it is authorized to seek or retain.

## **13.0 Classification of Information Regarding Validity and Reliability**

- A. At the time of retention in the system, the information will be categorized regarding:
  - 1. Content validity;
  - 2. Nature of the source; and
  - 3. Source reliability.
- B. The categorization of retained information will be reevaluated when new information is gathered that has an impact on the validity and reliability of retained information.

## **14.0 Classification of Information Regarding Limitations on Access and Disclosure**

- A. At the time a decision is made to retain information, it will be classified pursuant to the applicable limitations on access and sensitivity of disclosure in order to:
  - 1. Protect confidential sources and police undercover techniques and methods;
  - 2. Not interfere with or compromise pending criminal investigations;
  - 3. Protect an individual's right of privacy and civil rights; and
  - 4. Provide legally required protection based on the status of an individual as victim.
- B. The classification of existing information will be reevaluated whenever:
  - 1. New information is added that has an impact on access limitations or the sensitivity of disclosure of the information; or
  - 2. There is a change in the use of the information affecting access or disclosure limitations.
- C. The access classifications will be used to control:
  - 1. What information a class of users can have access to;
  - 2. What information a class of users can add, change, delete, or print; and
  - 3. To whom the information can be disclosed and under what circumstances.

## **15.0 Information Quality**

- A. Participating agencies will make every reasonable effort to ensure that information sought or retained is:
  - 1. Derived from dependable and trustworthy sources of information;
  - 2. Accurate;
  - 3. Current;

4. Complete and verified, including the relevant context in which it was sought or received and other related information; and
  5. merged with other information about the same individual or organization only when the applicable standard has been met.
- B. Participating agencies will ensure that only authorized users are allowed to add or change information in the system.
  - C. Participating agencies will ensure that information will be deleted from the system no later than 30 calendar days when the agency learns that the:
    1. information is erroneous, misleading, obsolete, or otherwise unreliable;
    2. source of the information did not have authority to gather the information or to provide the information to the participating agency; or
    3. source of the information used prohibited means to gather the information.
  - D. Participating agencies will make every reasonable effort to ensure that photographs of supervised individuals uploaded to ICOTS meet the following criteria:
    1. the supervised individual's face is recognizable and visible;
    2. the photo is displayed in 'portrait' view (height is greater than width);
    3. the photo is in color and is sharp with no visible pixels or printer dots; and
    4. the background does not detract from the supervised individual's face.

## **16.0 Collation and Analysis of Information**

- A. Information sought or received by participating agencies or from other sources will only be analyzed:
  1. by qualified individuals;
  2. to provide tactical and/or strategic intelligence on the existence, identification, and capability of individuals and organizations suspected of having engaged in or engaging in criminal, including terrorist, activities generally; and
  3. to further crime, including prevention, terrorism, enforcement, force deployment, or prosecution objectives and priorities established by participating agencies.
- B. Information sought or received by participating agencies or from other sources will not be analyzed or combined in a manner or for a purpose that violates Section 17.0 Merging of Information from Different Sources.

## **17.0 Merging of Information from Different Sources**

- A. Information about an individual from two or more sources will not be merged unless there is sufficient identifying information to reasonably conclude that the information is about the same individual or organization.
- B. The set of identifying information sufficient to allow merging will consist of at least four of the fields, including: first name, last name, date of birth, ICAOS identifier, FBI identifier, and/or sending state identifier.

## **18.0 Sharing Information**

- A. The ICAOS national office shall not confirm the existence or nonexistence of information to any person or agency that would not be eligible to receive the information itself.
- B. Access to information retained by ICOTS will be provided only to participating agencies that are authorized to have access and only for legitimate law enforcement, public protection, public prosecution, public health, or justice purposes, and only for the performance of official duties in accordance with the law and procedures applicable to participating agencies for whom the person is working.
- C. Information retained by ICOTS may be disseminated to individuals in public or private entities only for public protection, safety, or public health purposes and only in the performance of official duties in accordance with applicable laws and procedures. Nothing in this policy shall

limit the dissemination, including unsolicited, of an assessment of criminal intelligence information to a government official or to any other individual, when necessary to avoid imminent danger or certain danger to life or property.

- D. Information gathered and retained by ICOTS may be disseminated for specific purposes upon request by persons authorized by law to have such access and only for those uses or purposes specified in the law.
- E. Information gathered and retained by ICOTS may be disclosed to a member of the public only if the information is defined by law to be a public record and is not exempt from disclosure by law, and it may only be disclosed in accordance with the law and procedures applicable to participating agencies for this type of information.
- F. Upon satisfactory verification of identity and subject to the conditions specified, an individual is entitled to know the existence of and to review the information that has been gathered and retained by ICOTS. The individual may obtain a copy of the information for the purpose of challenging the accuracy or completeness of the information. A participating agency's response to the request for information will be made within a reasonable time and in a form that is readily intelligible to the individual.
  - 1. The existence, content, and source of the information will not be made available to an individual when:
    - 1. Disclosure would interfere with, compromise, or delay an ongoing investigation or prosecution;
    - 2. Disclosure would endanger the health or safety of an individual, organization, or community;
    - 3. The information is considered criminal intelligence; or,
    - 4. The information is considered to be victim-sensitive.
- G. When there is a question of inquiry about the accuracy or relevance of shared data, the participating agency will:
  - 1. Respond to the query directly;
  - 2. Inform the requestor of the procedure for review of any objections and will be given reasons if a request for correction is denied; and,
  - 3. Inform the requestor of the procedure for appeal if the participating agency declines to correct challenged information.
- H. An audit trail will be kept of access by or dissemination of information to such persons.
- I. Participating agencies may charge a fee to those requesting information per applicable law and procedures.

## **19.0 Review of Information Regarding Retention**

- A. Information will be reviewed periodically for purging.
- B. When information has no further value or meets the criteria for removal under applicable law, it will be purged, destroyed, deleted, or returned to the submitting source.

## **20.0 Destruction of Information**

- A. Information in ICOTS will not be purged, destroyed, deleted or returned without the written permission of the agency that submitted the information.
- B. Notification of proposed destruction or return of records will be provided to the agency submitting the information.
- C. A record that information has been purged or returned shall be maintained by ICAOS.

## **21.0 Information System Transparency**

- A. The ICOTS Privacy Policy is available to the public on request and on the ICAOS website.
- B. The Compact Commissioner in each state is responsible for receiving and responding to inquiries and complaints about privacy, civil rights, and civil liberties protections in ICOTS and will provide

to the public the contact information.

## **22.0 Accountability for Activities**

- A. The primary responsibility for the operation of ICOTS, including operations; coordination of personnel; receiving, seeking, retaining and evaluating information quality; the analysis, destruction, sharing, and disclosure of information; and the enforcement of this policy are assigned to the Commission's Executive Director.
- B. ICAOS will establish procedures, practices, and system protocols and use software, information technology tools, and physical security measures that protect information from unauthorized access, modification, theft, or sabotage, whether internal or external, and whether due to natural or human-caused disasters or intrusions. The methods and techniques used shall be consistent with industry standards.
- C. ICOTS will store information in a manner such that it cannot be added to, modified, accessed, destroyed, or purged except by personnel authorized to take such actions.
- D. ICAOS will adopt and follow procedures and practices by which it can ensure and evaluate the compliance of users and the system itself with the provisions of this policy, industry standards and applicable law.
- E. ICAOS will require any individuals authorized to use the system to agree in writing to comply with the provisions of this policy.
- F. ICAOS will periodically conduct audits and inspections of the information contained in ICOTS. The audits will be conducted randomly by a designated representative of the participating agency or by a designated independent party. The audit will be conducted in such a manner so as to protect the confidentiality, sensitivity, and privacy of the agency's information.
- G. ICAOS will periodically review and update the provisions protecting privacy, civil rights, and civil liberties in its policies and make appropriate changes in response to changes in applicable law and public expectations.
- H. ICAOS will notify an individual about whom unencrypted personal information was or is reasonably believed to have been obtained by an unauthorized person and access to which threatens physical or financial harm to the person. The notice will be made promptly and without unreasonable delay following discovery or notification of the access to the information, consistent with the legitimate needs of law enforcement to investigate the release or any measures necessary to determine the scope of the release of information and to reasonably restore the integrity of ICOTS.

## **27.0 Enforcement**

- A. If a user is suspected of or found to be not in compliance with the provisions of this policy regarding the collection, use, retention, destruction, sharing, classification, or disclosure of information, the participating agency or ICAOS will:
  - 1. suspend or discontinue access to information by the user;
  - 2. suspend, demote, transfer, or terminate the person as permitted by applicable personnel policies;
  - 3. apply other sanctions or administrative actions as provided in the participating agency's personnel policies;
  - 4. request the participating agency, organization, contractor, or service provider employing the user to initiate proceedings to discipline the user or enforce the policy's provisions; or
  - 5. refer the matter to appropriate authorities for criminal prosecution, as necessary, to effectuate the purposes of the policy.

## **28.0 Training**

- A. Member agencies will require the following individuals to participate in training programs regarding the implementation of and adherence to the privacy, civil rights, and civil liberties



policy:

1. its personnel;
2. personnel providing information technology services to the agency;
3. staff in other public agencies or private contractors providing services to the agency; and
4. users who are not employed by the agency.

B. The training program will cover:

1. purposes of the privacy, civil rights, and civil liberties protection policy;
2. substance and intent of the provisions of the policy relating to collecting, use, analysis, retention, destruction, sharing, and disclosure of information retained by the agency;
3. the impact of improper activities associated with information accessible within or through the agency; and
4. the nature and possible penalties for policy violations, including possible transfer, dismissal, civil and criminal liability, and immunity, if any.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2008

**Issued:** 2008-08-01

**Revised:** 2024-04-09

Investigating Allegations of Non-Compliance 02-2008

## I. Authority

The Executive Committee is vested with the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the compact.

## III. Policy

A. This policy defines the process by which the Compliance Committee will act when it receives an allegation. Under this policy and procedure, the Compliance Committee must address substantial or persistent violations after all other efforts to assist states to come into compliance are exhausted or in cases where violations warrant immediate action.

B. To support state success, safeguard public well-being, and promote rehabilitation among supervised individuals, the Compliance Committee oversees the effective execution of the Compact's Rules and regulations.

C. To support state success, safeguard public well-being, and promote rehabilitation among supervised individuals, the Compliance Committee oversees the effective execution of the Compact's Rules and regulations.

## IV. Investigation

A. The purpose of the investigation is to substantiate or 'rule out' a factual basis for the allegations by assembling and examining all relevant evidence including witnesses, documents, and all other information that may lead to the discovery of relevant evidence.

B. During the investigation, information may emerge which justifies broadening the scope of the investigation beyond the initial allegations. The Commissioner of the State alleged to be in non-compliance will be informed in writing if new and different allegations are discovered during the investigation.

C. The investigation shall be conducted by a neutral investigator independently employed or otherwise contracted by ICAOS. Current Commissioners of the ICAOS are disqualified from acting as an investigator, as it may be perceived as a conflict. The investigator, at the direction of the Executive Director, shall use all required materials and reports gathered during the inquiry phase and request all documents that would further assist the investigation. The investigator may interview any person(s) who may have information relevant to the allegation(s) and investigation of non-compliance and may obtain, through an appropriate subpoena or other processes if necessary, all documents and other information relevant to such allegation(s). Under the provisions of the Compact, all such investigatory information

and investigative file(s) shall be confidential and not subject to public disclosure.

D. The State alleged to be in non-compliance will be allowed to submit written documents and appear before the investigator at the State's own expense. After the investigation, the investigator will prepare a written report to the Executive Director which shall include a summary of the conclusions.

E. The investigative report shall be confidential and not subject to public disclosure

F. The Executive Director shall forward the report and recommendations to the Chair of the Compliance Committee.

G. This report shall be forwarded within 30 days of the conclusion of the investigation phase unless a time extension has been granted by the Chair or designee.

H. The Chair of the Compliance Committee shall forward the report to the full committee, the State alleged to be in non-compliance, and the complaining State if applicable.

I. The State alleged to be in non-compliance shall be allowed to appear before the Compliance Committee at the State's own expense, or reply in writing at a date and time to be determined by the Compliance Committee.

## **V. Determination**

A. The Compliance Committee will base its findings on the report and any verbal or written submissions.

B. The Compliance Committee will present their findings and make a recommendation to the Executive Committee at their next scheduled meeting. If the State being investigated is found in non-compliance, the State shall reimburse the Commission for all costs associated with the investigation.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2020  
**Issued:** 2020-09-14

Investment Policy 02-2020

## **I. Purpose**

This policy provides a clear statement of the Commission's investment objective and defines responsibilities for managing the Commission's investments with target asset allocations, including permissible investments and diversification requirements.

## **II. Authority**

ICAOS Bylaws, Article III, Section 2(d); ICAOS Bylaws, Article VII, Section 2; ICAOS Bylaws, Article VIII, Section 3

## **III. General Provisions**

- A. All transactions shall be for the sole benefit of the Commission.
- B. Investments shall be diversified to maximize income within an appropriate risk mitigation strategy similar to other public and non-profit institutional strategies.
- C. The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
- D. Any investment that is not expressly permitted under this Policy must be formally reviewed and approved by the Executive Committee.

## **IV. Duties and Responsibilities**

- A. The Executive Committee has the final responsibility for the management of the Commission's investment assets.
- B. The Finance Committee will evaluate the performance of the investment portfolio and make recommendations for Executive Committee action as needed.
- C. The Commission must operate the investment program in compliance with all applicable state, federal and local laws and regulations concerning the management of investment assets.
- D. The Commission shall vest ultimate responsibility and custody of investment accounts with the Commission treasurer who may utilize the executive director or their designee to execute this Policy and hire a qualified investment manager(s) to maintain the Commission's portfolio.

## **V. Investment and Distribution Guidelines**

- A. Upon a majority vote of the Executive Committee, the distribution of funds may occur as required to accommodate the Commission's annual budget.
- B. Unless required by an emergency as defined by a vote of the full Commission, distributions from invested funds may not reduce the fund's real assets below a threshold equivalent to 20 percent of the Commission's total annual expenses
- C. Permitted investments include: cash, cash equivalents, marketable securities, money-market accounts (AAA), short-term securities (A1/P1), and investment-grade (BBB/Baa) fixed income securities.
- D. Non-permissible investments include non-negotiable securities, derivatives, junk bonds, short-sales, commodities, precious metals, straddles, warrants, real estate backed securities, life insurance contracts, private placements, or leveraged stock.

## VI. Allocation

A. The Commission will maintain a reasonable diversification of investment assets between asset classes and investment categories.

B. Unless included within an index or passively managed funds not subject to direct manipulation of individual assets, investments in the equity securities of any one company shall not exceed 5% of the portfolio nor shall the direct total securities position (debt and equity) in any one company exceed 20% of the portfolio. This policy shall not apply to fixed-income investments directly guaranteed by the US Government.

C. Except for passively managed funds, no more than 25% of the total portfolio under management may be invested in securities of any single sector.

D. Under normal circumstances, Commission assets should be allocated across a broad spectrum of asset and sub-asset classes per the following limits:

<b>Asset Class</b>	<b>Target</b>	<b>Limits</b>
<i>Cash &amp; Equivalents</i>	5%	0-5%
<i>Fixed Income</i>	30%	20-50%
<i>Equities: Domestic Large Cap</i>	25%	20-40%
<i>Equities: Domestic Small/Mid Cap</i>	30%	10-25%
<i>Equities: International</i>	10%	5-15%

## VII. Rebalancing

A. Incoming contributions or outgoing disbursements from invested assets shall be realigned to bring current weighting closer to referenced limit weighting.

B. Rebalancing should occur annually within 60 days of a fiscal year's end.

C. Asset rebalancing may occur and be managed by the Investment Manager(s) or by the direct action of the executive director in consultation with the treasurer.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 03-2007

**Issued:** 2007-11-01

**Revised:** 2018-10-01

Management and Disposal of Assets 03-2007

## I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

The National Office is charged with efficiently and cost-effectively managing and disposing of the Commission's assets.

## III. Policy

### A. Definitions

1. Property or Capital Assets - Any single item purchased by the Interstate Commission for Adult Offender Supervision that has a useful life beyond 12 months and was acquired or produced for \$2,500 or more.
2. Supply - Any single item purchased for less than \$2,500 by the Interstate Commission for Adult Offender Supervision.
3. Inventory - Recorded account of acquired assets valued at more than \$2,500.
4. Surplus - Any property or supply of the Interstate Commission for Adult Offender Supervision which is of value and is no longer of use for business purposes as determined by the Executive Director and/or Director of Operations.
5. Purchase Price - The amount paid for the item at the time of acquisition by the Interstate Commission for Adult Offender Supervision.
6. Market Value - The most probable price the property or supply item would be resold for under normal conditions on the open market. Market Value is determined by:
  - a. Researching documented selling prices for comparable items via websites such as eBay, Amazon.com, etc.
  - b. Determining a "Best Estimate" value for the property approved by the Executive Director and/or Director of Operations, based on the purchase price, appreciated value/accounting value, condition, age, and availability of prospective purchasers.

### B. Approval for Asset Purchases

1. All properties and supplies are approved for purchase by the Executive Director and/or the Director of Operations as defined in the Interstate Commission for Adult Offender Supervision's Financial Policy.

### C. Inventory

1. All Capital Assets of the Interstate Commission for Adult Offender Supervision are subject to inventory.
2. Inventory records of property should include, if available:
  - a. description of equipment
  - b. model number or identification number
  - c. serial number
  - d. location of item

- e. purchase price
- f. purchase date
- g. depreciated/accounting value

D. Disposal of Assets

1. An item declared to be a surplus asset may be disposed of in the following manner:
  - a. Donating the item with proper documentation;
  - b. Selling the item in a manner consistent with the ICAOS Employee Equipment Agreement per the market-related fee(s) noted in the Personnel Policies;
  - c. Discarding the item only;
  - d. Trading the item with proper documentation of all assets/services involved; or
  - e. Other, which must be specified.
2. Documentation of disposal for any surplus asset will be kept using the Disposal of Assets Form which includes signed approvals by the Executive Director and the Treasurer of the Commission.
3. Disposal date will be recorded on inventory documentation for all property disposals.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 02-2009  
**Issued:** 2009-08-11  
**Revised:** 2024-03-20

Record Retention and Destruction 02-2009

## I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

This Policy applies to all physical and electronic records produced by ICAOS. This policy is not applicable to records or documents produced by member states that are maintained in accordance with policies and procedures established by their respective states.

## III. Policy

The policy is to ensure that records and documents produced by the Commission are adequately protected.

## IV. Administration

- A. The Executive Director's designee is responsible for the implementation and administration of the record retention schedule shown in Schedule A.
- B. Suspension of Record Disposal In the Event of Litigation or Claims
  - 1. In the event ICAOS becomes party to a court action, a government investigation, or audit the disposal of any and all records and documents shall be suspended until such time as the Executive Director, with the advice of counsel, determines otherwise.
- C. Record Keeping
  - 1. Except in the case of electronic email records noted in Schedule A, whenever an employee disposes of records in accordance with the schedule outlined in Schedule A, the employee shall prepare a written log identifying the records and documents destroyed, the date destroyed and by whom.

## SCHEDULE A RECORD RETENTION SCHEDULE (ICAOS)

### A. GRANTS

Record Type	Retention Period
Original grant proposal	5 years after completion of grant period



Grant agreement and subsequent modifications	5 years after completion of grant period
All requested IRS/grantee correspondence	5 years after completion of grant period
Final grantee reports, both financial and narrative	5 years after completion of grant period
All evidence of returned grant funds	5 years after completion of grant period
All pertinent formal correspondence	5 years after completion of grant period
Report assessment forms	5 years after completion of grant period
Pre-grant inquiry forms and other documentation for expenditure responsibility grants	5 years after completion of grant period
Grantee work product produced with the grant funds	5 years after completion of grant period

## **B. CONTRACTS**

<b>Record Type</b>	<b>Retention Period</b>
Contracts and Related Correspondence (including any proposal that resulted in the contract and all other supportive documentation)	36 months after expiration or termination
Memorandum of Understanding	36 months after expiration or termination
Statements of work for ICOTS	36 months after completion
Hotel vendor contracts	36 months after contracted dates

## **C. Commission RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
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Minutes of all Commission Meetings	Permanent
Corporate Seals	Permanent
Articles of Incorporation	Permanent
Commission Rules and Bylaws	Permanent
Annual Corporate Reports	Permanent

## **D. CORRESPONDENCE AND INTERNAL MEMORANDA**

1. Correspondence and internal memoranda pertaining to routine matters and having no significant, lasting consequences should be discarded within two years. Some examples include:
  - Routine letters and notes that require no acknowledgment or followup, such as notes of appreciation, congratulations, letters of transmittal, and plans for meetings.
  - Form letters that require no followup.
  - Letters of general inquiry and replies that complete a cycle of correspondence.
  - Letters or complaints requesting specific action that have no further value after changes are made or action taken (such as name or address change).
  - Other letters of inconsequential subject matter or that definitely close correspondence to which no further reference will be necessary.
  - Chronological correspondence files.
2. Correspondence and memoranda pertaining to nonroutine matters or having significant lasting consequences should generally be retained permanently in the file management system of the national office. Email records meeting the need for permanent retention should be transferred out of email servers for retention in the standard file management system. Some examples include sensitive or confidential correspondence affecting business processes, responsibilities, or standards.

## **E. ELECTRONIC DOCUMENTS**

1. Electronic Mail: shall, unless noted otherwise below, be retained for six months, after which time it can be deleted. Email attachments are to be handled according to topic as set forth in this policy.
  - Fiscal Correspondence: Includes all information related to revenue and expenses. Fiscal correspondence is retained according to the accounting guidelines set forth in this policy.
  - General Correspondence: Includes information as it relates to customer/member interaction and operational decisions. General correspondence resulting in a policy decision is retained according to the guidelines set forth in this policy.
  - Momentary Correspondence: Includes personal email, requests for recommendations and review, carbon copy emails, project development, and status updates. Momentary correspondence can be deleted at will.
2. PDF documents, Spreadsheet, and Word Processing Documents, Spreadsheet, and Word Processing Documents -PDF files are retained based upon the content of the file and the category under the various sections of this policy.
3. Faxed Documents - Fax documents are retained based upon the content of the file and the category under the various sections of this policy.
4. In the event a document is maintained in both paper and electronic form, the official document

will be the electronic document.

## **F. LEGAL FILES AND PAPERS**

<b>Record Type</b>	<b>Retention Period</b>
Legal Advisory Opinions	Permanent
Dispute Resolutions	Permanent
Mediations	Permanent
Bench Book for Judges	Permanent: Current version/revision history
Rules	Permanent
Litigation Files	Permanent
Court Orders	Permanent

## **G. MISCELLANEOUS**

<b>Record Type</b>	<b>Retention Period</b>
Commission Policies and Procedures	Permanent
Annual Reports	Permanent
Inventory Records	5 Years
Training Curriculum and Presentations	5 Years
Training Bulletins (ICAOS and ICOTS)	5 Years
Newsletters (ICAOS and ICOTS)	5 Years
ICOTS Audit Information and Responses	5 Years
Supervised Data Collection	5 Years
Best Practices Documents	5 Years

Self Assessment Audits	5 Years
Surveys	5 Years

## **H. INTERSTATE COMPACT OFFENDER TRACKING SYSTEM (ICOTS)**

All offender records and case information entered in ICOTS by member states is the property of the member states and is maintained according to the laws and policies of the member states. ICOTS entries and attachment will not be disposed of without the express written permission of the member state that provided the information. Request for record disposal will be kept permanently.

<b>Record Type</b>	<b>Retention Period</b>
ICOTS Audits	Permanent

## **SCHEDULE B - RECORD RETENTION SCHEDULE**

### **B. INSURANCE RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Annual Loss Summaries	10 years
Claims Files (including correspondence, medical records, injury documentation, etc.)	10 years
Insurance Policies	10 years

### **C. PAYROLL DOCUMENTS**

<b>Record Type</b>	<b>Retention Period</b>
Employee Deduction Authorizations	Permanent
Payroll Deductions	Permanent

W-2 and W-4 Forms	Permanent
Garnishments, Assignments, Attachments	Permanent
Labor Distribution Cost Records	8 years
Payroll Registers (gross and net)	8 years

## **C. PERSONNEL DOCUMENTS**

<b>Record Type</b>	<b>Retention Period</b>
Job Advertisements	3 years
Background Checks, Credit Reports, & Financial Records	1 year
I-9 & Identification	3 years after hire or 1 year after separation
Employment Offers, Contracts, Handbooks	1 year
Medical Records, Health Insurance Enrollment Accommodation Request, Disability Records	2 years
Payroll Records	5 years
Personnel Annual Reviews	2 years
Personnel Contact Information	1 year after separation
Disciplinary Documents	2 years and 1 year after separation
Personnel Training Plans	3 years or upon separation
Separation Records	2 years
Non-medical Benefit Records	2 years
FMLA Documentation	3 years

Complaint Investigations

Until resolved or otherwise indicated

## **D. ACCOUNTING AND FINANCE**

<b>Record Type</b>	<b>Retention Period</b>
Accounts Payable ledgers and schedules	5 years
Accounts Receivable ledgers and schedules	5 years
Audit Reports and Financial Statements	5 years
Audit Records (Including work papers and other documents that relate to the audit)	5 years
Bank Statements and Canceled Checks	5 years
Budget Worksheets, Plans, & Projections	5 years
Invoices	5 years
Expense Reports	7 years
General Ledgers	5 years
Investment Records	5 years
Credit card records	5 years
Depreciation records	5 years

## **E. PROPERTY RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Lease Agreement/Property Deed	5 years
Property Insurance	10 years

## **F. TAX RECORDS**

<b>Record Type</b>	<b>Retention Period</b>
Tax-Exemption Documents and Related Correspondence	Permanent
IRS Rulings	Permanent
IRS Correspondence	5 years
Excise Tax Records	5 years
Tax Bills, Receipts, and Statements	5 years
Tax Returns - Income, Franchise, Property	5 years
Tax Workpaper Packages - Originals	5 years
Sales/Use Tax Records	5 years
Annual Information Returns - Federal and State	5 years
IRS or other Government Audit Records	5 years



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 04-2009  
**Issued:** 2009-08-01  
**Revised:** 2024-03-20

Screening a Supervised Individual from Public View in ICOTS' Public Access Portal 04-2009

## I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the Compact.

## III. Policy

The Interstate Compact Offender Tracking System (ICOTS) provides limited public access to ICOTS information using a public access portal. In certain situations, there is a legitimate need to hide specific information on supervised individuals from public viewing. This policy outlines the process by which a state can petition to conceal an individual from public view.

### A. Eligibility

1. The supervised individual must be a participant in a state or federal witness protection program to be eligible for concealment from public viewing.
2. State laws prohibit the public display of the information.

### B. Process

1. The State Compact Commissioner or designee must document and maintain a file on all requests to exclude a supervised individual from public viewing. At a minimum, the documentation shall include the following:
  - a. Supervised individual's name, date of birth, and ICOTS number, if available; and,
  - b. Brief description of the need to conceal the supervised individual from public viewing.

### C. Audit

1. The required records are subject to review by the national office.





Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 03-2009  
**Issued:** 2009-04-23  
**Revised:** 2020-12-09

State Council Policy 03-2009

## I. Authority

Article IV, of the model compact language, provides for the appointment of a State Council for the implementation, administration, and advocacy of the Compact. This policy ensures compliance with the Statute or Code requirements that each member State maintains a State Council.

## II. Applicability

This policy applies to signatory states to the Interstate Commission for Adult Offender Supervision and Commissioners appointed to represent those states on the National Commission.

## III. Policy

### A. State Council

1. The appointment of the State Council is governed by [Article IV](#) of the model compact language:

“Each member state shall create a State Council for Interstate Adult Offender Supervision which shall be responsible for the appointment of the commissioner who shall serve on the Interstate Commission from that state. Each state council shall appoint as its commissioner the Compact Administrator from that state to serve on the Interstate Commission in such capacity under or 6 pursuant to applicable law of the member state. While each member state may determine the membership of its own state council, its membership must include at least one representative from the legislative, judicial, and executive branches of government, victims’ groups and compact administrators. Each compacting state retains the right to determine the qualifications of the Compact Administrator who shall be appointed by the state council or by the Governor in consultation with the Legislature and the Judiciary. In addition to appointment of its commissioner to the National Interstate Commission, each state council shall exercise oversight and advocacy concerning its participation in Interstate Commission activities and other duties as may be determined by each member state including but not limited to, development of policy concerning operations and procedures of the compact within that state.”

2. Newly appointed Commissioners shall be given one year from their appointment date to reorganize their State Council, if one has not already been established.
3. If a member State has not established their State Council within one year, the Executive Director may refer the matter to the Compliance Committee for further action

### B. Reporting

1. By December 31 of each year, member states shall submit the following

information regarding their State Council to the National Office via the online reporting tool:

- a. State Council Membership Roster;
  - b. Identify the group each member represents, (eg. executive branch, judicial branch, legislative branch, victims' representative);
  - c. Dates the State Council met in the preceding year and meeting frequency;
  - d. Summary of accomplishments, activities or meeting minutes for the previous year. (Optional)
2. If a member state has not submitted the above information by December 31 of each year, the Executive Director will send a written reminder to the Commissioner.
3. If a member State has not submitted the above information by February 28 of each year, the Executive Director shall refer the matter to the Compliance Committee for review and possible action.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2014  
**Issued:** 2014-04-04

Survey Policy and Standards 01-2014

## I. Overview

For this policy, the definition of a survey is the gathering of information through questionnaires, interviews, etc., to make inferences about a sample, population, or process. The ICAOS national office serves as the Commission's survey clearinghouse. All surveys intended for distribution to compact members or the compact community (e.g. deputy compact administrators, compact office staff, ICOTS users, victim advocates, etc.) must be approved by the national office using the procedures described herein. National office approval is not required for a survey resulting from an action stemming from a standing committee.

Surveys will be administered using an electronic format.

Acceptance of authorization to administer a survey establishes an obligation on the part of the national office to use these data responsibly. The survey request must provide direction to the national office on its authority to distribute the data and identify potential recipients authorized to receive the data.

## II. Policy Violations

Failure to adhere to the policies and guidelines relating to the use of surveys shall result in a written notice to the Compliance Committee. Violators of this policy must receive clearance from the Executive Committee to request any future surveys for a period determined by the Executive Committee.

## III. Procedures

### A. The Request Process

Individuals and offices wishing to conduct a survey covered by the survey policy must provide required information to the national office in writing.

Information required to conduct a survey includes but is not limited to:

- a description of the survey project, including the purpose and intended use of results;
- the specific population receiving the survey;
- a time-frame for administering the survey, including beginning and end dates; and,
- a current draft of the survey.

Recurring surveys approved in an earlier year only need to submit information about the proposed administration dates. Surveys approved in prior years with significant changes must be re-approved.

The national office will review the survey request and respond within five (5) business days of the received date of the proposal. The national office may provide a change notice based on the following criteria:

- Is there a clearly explained purpose of the survey?
- Does the survey provide information useful for planning or improving services?

- Is the survey well designed and of an appropriate length?
- Are the questions easily understood and interpreted?
- What is the target population? Will the entire population or a sample be surveyed?
- Is there a clear explanation of the rights of perspective participants (including confidentiality)?
- When will the survey be conducted? What is the optimal timing to ensure it does not compete with other surveys and activities?
- How will the results be used?
- Will the findings be disseminated to appropriate audiences? Who will have access to the information and will it help them make better decisions as a result?
- Has the appropriate standing committee reviewed the proposed survey (if necessary)?
- Can the proposed survey be combined with other planned surveys?
- Are there other data available that will allow the survey to be avoided?

## IV. Guidelines for Conducting Survey

All surveys conducted by the Commission should adhere to the guidelines listed below.

### A. The Rights of Respondents

- The survey form must include the contact information of the requestor (name, e-mail address, telephone number), should the respondents have any questions about the content of the form or the use and/or publication of survey results.
- All participants must be notified that their participation is voluntary.
- Respondents must be notified in advance if the data collected will not be anonymous.
- Respondents must be protected from the risk of unreasonable harm, including any risks regarding confidentiality or privacy.
- Surveys that request individual health information may be subject to HIPAA (Health Insurance Portability and Accountability Act).
- A summary should be made available on request to persons who completed the survey.
- Respondents should be informed if the data or survey results will be published or distributed, including whether individual responses will appear in the published results.
- In some circumstances, data may be confidential and not publicly available to the respondents. Any such limitation should be made clear to respondents at the time the survey is conducted, as well as within the report itself. When restrictions apply, publication and/or presentation of survey results must honor the stated restrictions.
- If respondents are promised anonymity and a login is required to access the survey (e.g., email addresses), the national office must ensure that login information will not be collected and stored in a way that it can be connected to survey results.

### B. Sponsorship

- All surveys should clearly identify the group or person who is requesting the survey.
- Information from surveys conducted by administrative offices, committees, and others is the property of the Commission. The national office must be consulted before the release and distribution of the survey's findings.
- The use of mass e-mailing lists to promote or distribute a survey to compact members, compact office staff, and others is limited to official surveys approved by the national office.

### C. Confidentiality

Identifiable information should be collected only as required concerning the expressly stated purpose of research or a project.

### D. Data Security

The national office is responsible for managing and releasing the data collected. Raw data from surveys are typically not shared with people outside of the Commission except under special circumstances (e.g. a data-sharing consortium). If survey data are shared, (a) its' use should conform to applicable policies and guidelines, (b) the data should not contain any information that will identify a respondent, and (c) its' release must be approved by the Executive Director.

#### E. Committee and Legal Review

The Commission and the requestor may incur legal liability if the treatment of survey recipients is unethical, if data resulting from the survey is misused, or if any part of the survey violates certain protected rights of individuals or ICAOS Rules. Survey requestors should be aware of their responsibilities and make reasonable efforts to protect the rights of survey recipients and to comply with ICAOS Rules.

ICAOS Rules Committee, Training Committee, and legal counsel's approval may be required if the survey findings are used for any purposes related to data collection about commission programs, practices, curricula, or outcomes.

#### F. Use of E-mail for Administering Surveys

E-mail is a convenient and effective way to contact and communicate with potential survey subjects; however, e-mail is a fundamentally insecure medium. E-mail messages are typically transmitted to many different computers before reaching their final destination. At each intermediary computer, backups can create additional copies of the original message. Thus, messages may reside on one or more servers for extended periods, during which time they may be read, subpoenaed, etc. Theoretically, subjects can return surveys through anonymous re-mailers, but interception and duplication remain possible during the initial transmission. It is possible to conduct secure e-mail surveys with encryption technology, but this is rarely used in actual practice. In short, subjects cannot be assured of the confidentiality of their data in e-mail surveys. E-mail may be safely used as a vehicle only to contact potential subjects, who may then be given the option to (a) print and return an anonymous survey via mail, or (b) go to a web link to complete an online survey.

#### G. Survey Publicity

Surveys can be publicized through media such as the Commission newsletters, e-mail, message boards, and other forms of direct contact with selected respondents.

#### H. Assistance with Survey Development, Administration, and Reporting

The Commission will consider requests for assistance with the development, deployment, and analysis of surveys conducted by academic departments, committees, task forces, and other administrative units as time permits or as required. Assistance with external projects (e.g. grant- related projects) conducted by third-party organizations may also be considered, but will have a lower priority. The Commission reserves the right to deny any request for assistance, if office resources are not available.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 01-2008  
**Issued:** 2008-01-01  
**Revised:** 2022-04-05

Training and Technical Assistance 01-2008

## **I. Authority**

The Executive Committee is vested with the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## **II. Applicability**

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Legal Representatives, and all persons engaged in the business of the Compact.

## **III. Policy**

The policy is written to ensure that ICAOS funds are expended prudently and reasonably for the conduct of official business. They also ensure fair and equitable treatment of states by defining procedures for authorized training and technical assistance.

## **IV Objectives**

- A. Provide training, technical assistance, and support to member states and other criminal justice professionals involved in interstate compact business.
- B. Ensure effective training opportunities are available to interstate professionals, which will increase their knowledge of the Commission's rules, practices, technology, and compliance.
- C. Assist member states in defining operational or programmatic problems specific to interstate compact and provide recommendations regarding solutions to these challenging issues.

## **V. Training and Technical Assistance Available**

ICAOS supports a variety of projects to strengthen the compact process and public safety efforts.

- A. Training
  - 1. Training may be made available to compact offices, Commissioners, field staff, legal and judicial practitioners, state councils, and others engaged in business or activities related to the mission of ICAOS.
- B. Technical Assistance
  - 1. Assistance may be requested for activities including operations, compliance, dispute resolution, information technology, and other ICAOS related business.
  - 2. Following an ICAOS audit, or at any time, a state may request the National Office to analyze specific data regarding problematic or compliance areas to direct resources to the users in these areas. This method identifies focus areas and provides direct technical assistance in a manner that is efficient and does not place an additional burden on the compact office staff.

## VI Eligibility

Any member state of the Interstate Commission for Adult Offender Supervision is eligible to apply for assistance. While ICAOS may not have funding available for a specific purpose, it may assist states in identifying other resources to meet a need.

## VII Administering Training and Technical Assistance

Assistance is provided within the confines of the budget set forth and approved by the Executive Committee.

- A. A written request to the Executive Director for training or technical assistance must originate from the Compact State's Commissioner.
- B. Each request must include the following information.
  1. Contact information including (as applicable or available) the name of the organization, the name of the individual making the request and his/her address, phone number, fax number, and email;
  2. A narrative description of the need, to include the number of recipients receiving assistance
  3. Objectives and desired outcomes
  4. Proposed timeframe for delivery; and,
  5. Additional pertinent information or special circumstances
- C. After receiving a request for assistance the Executive Director or his/her designee will evaluate the request based on the information listed below and will submit a recommendation to the Executive Committee outlining:
  1. Significance of need
  2. Number of recipients receiving assistance
  3. Prior technical assistance (applied for and/or received)
  4. Availability of funding; and,
  5. Availability of expertise.
- D. When a requestor is denied by the Executive Committee, the Executive Director will provide the request with a written response detailing reasons for denial.
- E. If the recommendation is approved, the Executive Director will work with the requestor to:
  1. Develop or identify an appropriate method of delivery;
  2. Identify of an individual best suited for the engagement; and,
  3. Recommend the timeframe days needed to deliver assistance
- F. When identifying consultants, consideration will be given to retired commissioners, individuals with prior experience as a commissioner and individuals with subject matter expertise.
- G. Consultants authorized to travel to fulfill an engagement may be reimbursed for travel expenses per the ICAOS travel policy
- H. Within 10 days of completing the engagement the consultant will provide the Executive Director or his/her designee with a written report detailing the following information:
  1. Location of the engagement;
  2. Number of delivery days;
  3. General description of the recipients (i.e., field officers, county judges, etc.);
  4. Number of recipients;
  5. Narrative summary of the service provided;
  6. Outcomes;
  7. Recipients evaluations; and,
  8. Suggested follow-up.
- I. After receiving the consultant's report, the Executive Director or his/her designee will contact the requestor to discuss the success of the engagement and any subsequent needs.



Interstate Commission  
for Adult Offender Supervision  
**ICAOS Policies**

**Policy Number:** 07-2004  
**Issued:** 2004-12-01  
**Revised:** 2022-04-05

Travel Reimbursement 07-2004

## I. Authority

The Executive Committee is vested with the power to adopt a policy on behalf of the Interstate Commission during periods when the Interstate Commission is not in session. The Executive Committee oversees the day-to-day activities managed by the Executive Director.

## II. Applicability

This policy applies to Commissioners, Compact Administrators, Deputy Compact Administrators, State Representatives, Ex-Officio members, Legal Representatives, and other non-employees authorized to travel on interstate compact business.

## III. Policy

This policy ensures prudent and reasonable use of ICAOS funds in the conduct of official business. It also ensures fair and equitable treatment of individuals by defining authorization procedures for business travel and guidelines for expense reimbursement.

## IV. Authorization

The Executive Director or Designee may approve travel. Individuals approved to travel will receive a written letter of authorization specifying reimbursable expenses.

### A. Meals and Incidentals

1. The federal per diem rates are based on the event location and are available online at the [GSA website](#). Individuals shall receive per diem for meals and incidentals incurred on travel and conference days when the conference sponsor does not provide full meals (i.e. breakfast, lunch, or dinner). Meal receipts are not required.
2. For travel days, 75% of the per diem is reimbursed. A sample breakdown is included below:

M & IE	\$55	\$56	\$61	\$66	\$71
Breakfast	13	13	14	16	17
Lunch	14	15	16	17	18
Dinner	23	23	26	28	31
Incidentals	5	5	5	5	5

### B. Travel Costs



Individuals must consider cost, time, and transportation availability when selecting the most economical means for travel.

1. Air Travel

- a. 21-day advance purchase coach or discounted fares are required. First-class fares are allowable when the fare is no higher than the coach fare or if the participant opts to use frequent flyer points for a first-class upgrade.
- b. Up to \$650 of airfare is authorized. Prior approval from the Executive Director or Designee is required to exceed this amount.
- c. Unauthorized fees include:
  - i. Ticket change/cancellation fees not approved in advance by the Executive Director or Designee - extenuating circumstance may be considered.
  - ii. Excess Baggage fees - standard airline fees are authorized.
  - iii. Upgrade charges not approved in advance by the Executive Director or Designee.

Note: Expenses are reimbursed after an event. The policy does not permit travel advances. If purchasing an airline ticket in advance creates a financial hardship, contact the National Office for assistance.

2. Driving

- a. Mileage is reimbursed at the prevailing [federal rate per mile](#) at the time in which travel occurs. If the total mileage to be reimbursed is likely to exceed the cost of a 21-day advance purchase airline ticket, you must obtain prior approval from the Executive Director or Designee.

Note: Travelers are responsible for traffic tickets or citations issued while traveling on ICAOS business. ICAOS is not liable for any accidents or damage resulting from ICAOS business travel.

3. Ground Transportation

- a. Residence to Airport - Ground transportation between a residence and the airport via taxi, bus, airport limousine, or a privately owned vehicle is reimbursed at the prevailing [federal rate per mile](#).
- b. Airport to Hotel - Shuttle to and from the airport and hotel are reimbursed. If a hotel shuttle is not available, taxi fares are reimbursed.
- c. Rental Car - All rental cars must be pre-authorized and reimbursable only as outlined in the traveler's official travel letter.
- d. Tolls - Receipts are required for toll reimbursement.
- e. Hotel and airport parking is reimbursed.

4. Lodging

- a. Lodging expenses are reimbursed after the event. The travel letter provides detailed instructions and responsibilities for securing, modifying, or canceling a room.
- b. Lodging that is direct billed requires registration through the National Office. All reservations, modifications, and cancellations must be made through the National Office Logistics Coordinator.
- c. Lodging expenses are reimbursed up to the government per diem rate as published by the [GSA](#). Room rates above the published government rate must be approved in advance by the Executive Director or Designee.
- d. Expenses such as in-room movies, alcoholic beverages, unauthorized cancellation charges, etc. are not reimbursable.
- e. Travelers must provide a credit card at check-in for incidental charges.

## **V. Cancellation and No Show Policy**

- A. All reservations, modifications to reservations, and cancellations must be made within the registration period as outlined in the official announcement or travel letter from the National Office. .
- B. Cancellations or modifications to reservations after the cut-off date are not reimbursable.
- C. Attendees will not be reimbursed for unused reservations.

## **VI. Miscellaneous Items and Restrictions**

- A. Expenses are reimbursed for travel days and days approved for conducting official ICAOS business.
- B. Expenses incurred by anyone other than the approved traveler are not reimbursed.
- C. Modifications and additional authorizations for expenses not specified in this policy will be listed in the official travel letter.

## **VII. Expense Reporting**

- A. A signed Expense Report form and receipts for all actual expenses, except meals, must be submitted to the National Office.
- B. Expenses not submitted within thirty (30) days of the event are not reimbursed without the prior approval of the Executive Director or Designee.
- C. Expense reporting must be made on an ICAOS-provided form.
- D. Direct reimbursement to states should be reported on a separate expense form.

## **Addendum - How to Request Reimbursement**

- 1. After an ICAOS event, an attendee may request the Expense Reporting Form from the ICAOS logistics coordinator.
- 2. Expense reporting for individuals should be made on separate forms from those with requested direct reimbursement to a state.
- 3. All receipts for authorized travel and meeting days must be provided with the Expense Reporting Form except for per diem meal receipts. Receipts should include airfare price, hotel accommodation room fees/taxes, ground transportation costs, private auto mileage maps or directions, baggage fees, parking, or other miscellaneous expenses.
- 4. TIPS are calculated as a part of per diem expense reimbursement as incidental expenses.
- 5. If the Commission paid for a meal on a meeting day, that meal expense should not be included in reported expenses. Expense reports may be adjusted to accurately reflect allowed reimbursement.
- 6. Expense reporting must occur within 30 days of the end of the meeting.
- 7. Following review and verification of expenses and receipts by the national office where adjustments for allowable expenses may be made, reimbursement will be made to and sent to the individual or state at the address listed on the form.

