



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: