

Alaska Interstate Compact State Council Meeting

December 4, 2020

Council Attendees: Rebecca Brunger - Commissioner, Alaska Interstate Compact for Adults; Jennifer Winkelman – Director - Division of Pretrial, Probation and Parole; Matthias Cicotte – Assistant Attorney General, Council to Alaska Department of Corrections; Shannon Dilley – Commissioner, Alaska Interstate Compact for Juveniles; Tracy Dompeling – Director, Department of Juvenile Justice Health and Social Services; Stephen Wallace - Judge, Kodiak Superior Court; Joseph Gamache - Lieutenant, Anchorage Airport Fire and Police - Public Member

Guest: Lorna Colver – Deputy Compact Administrator, Alaska Interstate Compact for Adults; Derrell Babb – Alaska Interstate Compact Office, Criminal Justice Technician; Ellen Hackenmueller – Deputy Compact Administrator for Juveniles.

Meeting called to order at 11:36 AM. Agenda for meeting approved by Tracey Dompeling, seconded by Matthias Cicotte. Minutes from September 19, 2019 meeting approved by Jennifer Winkelman and seconded by Shannon Dilley.

Welcome and Introduction:

Commissioner Brunger welcomed all council attendees and provided a brief overview of current climate of Alaska due to COVID-19 and informed council and guest on absent members on council meeting.

Adult Compact Updates:

Supervision

Lorna Colver provided an overview for FY2020 compact activities which included statistics of incoming/outgoing interstate compact cases and data from the compliance dashboards for the Compact Office. 171 Incoming offenders- 14% sex offenders, 76% on probation, 23% on parole, and the others on dual supervision. 134 outgoing offenders from Alaska- 34% are sex offenders, 40% on probation, 22% on parole, 38% on dual supervision. Dashboards show Alaska is currently 80% above threshold and currently above national average in all categories such as case closure compliance, case closure replies, requested progress reports reporting instructions replies, transfer replies and violation report responses.

Jennifer Winkelman- How many outgoing offenders does Alaska have for FY2020 to see impact of COVID-19 compared to the previous year?

Lorna Colver- 134.

Rule 2.111

Rebecca Brunger- In response to COVID-19, compact activity was affected and requirements to enforce the rules required adjustment. Rules state that upon a declaration of a national emergency by the President of the United States and/or by one or more Governors of the compact member states in response to a crisis, the Commission may by majority vote, authorize the Executive Committee to temporarily suspend the enforcement of Commission rules or parts thereof. Rule 2.111 will conclude by majority vote of Executive Committee or by length of suspension by national/state declarations of emergencies, whichever occurs sooner. States are still required to perform all duties under compact to the best of their abilities. Essentially the rule suspends the enforcement of certain rules and timelines if states are unable to comply with those due to a crisis.

Interstate Compact Memo and the Courts

Lorna Colver- Interstate offenders who abscond and are arrested are not considered a fugitive from justice. Proper procedures through the compact don't require them to go to court as there is a waiver for extradition form signed by Interstate offenders. There are discrepancies at times of Alaska Judges adding conditions and ordering Interstate offenders to not return to Alaska. If an ISC offender is arrested on an out of state nationwide extraditable warrant, no bail, they do not need to attend a court hearing.

Rebecca Brunger- It's important that Alaska can inform our officers and state personnel on what the compact is, and what the rules are to ensure compliance and thorough knowledge of the compacts purpose and function with offenders on supervision. A copy of this document (Interstate Compact and the Courts) will be provided via e-mail after the conclusion of this meeting.

2019 Rule Changes

Rebecca Brunger- 12 proposals were submitted for changes to various rules in the adult compact. One proposal was withdrawn prior to voting which involved the retaking of an offender following a revocation proceeding and adding language as to the process. One proposal failed which was the retaking of offenders who abscond which established 15 business days of violation report to get warrant issued which was voted 24- 27. Ten rules passed which mostly consisted of definition changes to clarify certain terms further, language changes/ terminology, and conforming to policy language and legal terms. Adding documentation requirements and support documents in a number of areas: providing additional documentation of verification of an offender absconding when submitting a violation report; transfer Request for sex offenders and detailing whether they are convicted of a sexual offense or have conditions to be supervised as a sex offender as well as providing additional documentation to include treatment documents; victim notification needs to be done for offender's returning to sending state which also requires notification of travel permits to sending state; mandatory reporting instructions for veteran's requiring VA treatment in another state to streamline process and decrease delay of necessary treatment and/ or services; progress reports required to provide documents for impositions of sanctions and incentives; allows the return of offenders to the sending state while pending non-violent

misdemeanor charges which don't include domestic violence charges; and the retaking of offenders whether discretionary or for behavior that required it... added additional requirements, timeframes and clarified responsibilities of receiving state in regard to serving warrants or following absconder procedures.

2020 Annual Business Meeting (September 8th – 16th)

Lorna Colver- The Interstate Compact for Adult Offenders annual business meeting was held virtually this year. Discussions on warrant timelines, ICOTS enhancements which included compact action request email notifications that will be enhanced to allow users to see an e-mail preview of the compact action request and COVID-19 updates. In total six ICOTS enhancements were approved and #3 was withdrawn.

Warrant Timelines

Rebecca Brunger- The change of Rule 5.101(a)- Discretionary Retaking by the Sending state to 15 business days found to be in conflict with a number of rules. For example, rule 4.111(f)- Offenders Returning to the Sending State which required sending states to issue warrant no later than 10 business days following an offender's failure to appear in the sending state. Review by the Rules Committee and subsequent feedback sought from each region. Rules Committee decided standard time frame for ISC warrants and submit a proposal to the National Office that warrant time frames be set at 15 business days covering all rules that have warrant time frames. This proposal should be voted on during the 2021 Annual Business Meeting. Alaska doesn't have issues for warrant timeframes usually.

Juvenile Compact Updates:

Supervision

Ellen Hackenmueller- Eight incoming transfers, three outgoing transfers, 21 outgoing travel permits issued. FY 20 relatively standard operating year for ISC – Juveniles. Case activity dropped significantly during the 4th quarter for juvenile offenders due to the COVID-19 pandemic and associated travel restrictions. Activities have picked back up again at the beginning of FY21. JPO's adjusted to the COVID-19 related contact restrictions while still meeting basic contact requirements.

2019 Rule Changes

Ellen Hackenmueller- Definition changes and terminology changes of rules. Rule requirement for TR's for supervision history if juvenile has been on supervision for more than 30 days. Largest rule change is state council meeting is now mandatory through compact rule 2.107.

Emergency suspension of enforcement policies, much like what was passed by the Adult Compact. Shannon Dilley is the new commissioner for the Juvenile Compact and Ellen and Shannon attended the 2020 Juvenile ABM which was also virtual.

Updates:

JIDS moving database to Unity scheduled for February 2021

No further immediate issues. Rebecca Brunger will be sending out the Compact memo to all council via e-mail after adjourning state council meeting.

Meeting Adjourned at 12: 28 pm