



Interstate Commission for Adult Offender Supervision

Midwest Region Meeting MINUTES

February 22, 2021
Video Conference

Members in Attendance:

1. Russell Marlan (MI), Chair
2. Mary Kay Hudson (IN)
3. Sally Kreamer (IA)
4. Allen Godfrey (MN)
5. Sally Reinhardt-Stewart (NE)
6. Amy Vorachek (ND)
7. Katrina Ransom (OH)
8. Bradley Lewandowski (SD)
9. Joselyn López (WI)

Not in attendance

1. Hope Cooper (KS)
2. Rebecca Walton (IL)

Guests:

1. Heather Bell (IA)
1. Matt Billinger (KS)
2. Daryn Cobb (MI)
3. Tracy Hudrlik (MN)
4. Alyssa Miller (ND)
5. Jacey Rader (NE)
6. Suzanne Brooks (OH)
7. Sarah Ball (SD)
8. Charles Frieberg (SD)
9. Kathy Finn (WI)

Call to Order

Chair R. Marlan (MI) called the meeting to order at 11:01 am ET. Nine voting members were present, a quorum was established.

Approval of Agenda and Minutes

Commissioner A. Vorachek (ND) moved to approve the agenda as presented. Commissioner S. Kreamer (IA) seconded. Agenda approved.

Commissioner S. Reinhardt-Stewart (NE) moved to approve the minutes from January 14, 2021 meeting as drafted. Commissioner K. Ransom (OH) seconded. Minutes approved.

Discussion

Discuss the Rules Committee's recommendation to withdraw the Midwest Region proposal to amend Rule 4.105 – Commissioner M. Hudson (IN), Rules Committee chair, stated that the Rules Committee met last week to review the Midwest Region proposal to amend Rule 4.105.

The Rules Committee discussed if it was more important to receive the Notice of Departure (NOD) before the offender departs or after; as well as the difficulty to predict an offender's accurate departure time and date. After consideration, the Rules Committee recommended not to add additional restrictions to the rules when the action could be addressed with an ICOTS enhancement to add the ability to amend notices of an offenders' departure.

Executive Director A. Lippert added that since the Rules Committee meeting, the national office met with the ICOTS developers and discussed a current process that allows changes to be made on the NOD without additional ICOTS enhancement.

The region agreed to withdraw the proposal and address the issue via training.

Commissioner A. Godfrey (MN) moved to withdraw the Midwest Region proposal to amend Rule 4.105. Commissioner R. Marlan (MI) seconded. Motion passed.

Discuss the Rules Committee's recommendation for alternative language for the Midwest Region proposal to amend Rule 5.108 – Commissioner M. Hudson (IN), Rules Committee chair, informed the region about the Rules Committee recommendation for alternative language to amend Rule 5.108 Probable cause hearing in receiving state proposed.

The proposed alternative language was more consistent with other language in the rule and the definition for 'Behavior Requiring Retaking'.

- (b) No waiver of a probable cause hearing shall be accepted unless accompanied by an admission by the offender to 1 or more violations of the conditions of supervision that would result in the pursuance of revocation of supervision in the receiving state and require retaking.

Commissioner A. Godfrey (MN) moved to accept recommended alternative language for the Midwest Region's proposal to amend Rule 5.108. Commissioner J. López (WI) seconded. Motion passed.

Discuss questions and/or concerns about the warrant timeframe rule proposal package – Commissioner M. Hudson (IN), Rules Committee chair, reminded the region that the current rules had varying timeframes for issuing a compact compliant warrant from 'upon receipt' to '30 days', and some rules requiring a warrant did not have a timeframe at all. Last year, the Rules committee approved the warrant proposal package to establish consistent timeframe in the interest of training stakeholders and public safety. The package includes amendments to six rules (2.110, 4.111, 5.101, 5.102, 5.103 & 5.103-1) expanding the timeframe for issuing compact compliant warrants to a standard 15-business day, when an offender fails to arrive or return as instructed or is subject to retaking. The proposal will be posted on the Commission website for comments on April 1.

Chair M. Hudson (IN) and Vice-chair D. Littler (AZ) are attending all region meetings to address any questions and concerns regarding the proposal package.

Commissioner A. Godfrey (MN) noted the importance of the proposed changes for to public safety.

Executive Director A. Lippert informed the region that the national office would support states by providing the appropriate training.

Chair R. Marlan (MI) stated that even through Michigan supported the proposal, it would be a challenge to implement it in certain jurisdictions.

Old Business

There was no old business.

New Business

Commissioner J. López (WI) stated that Wisconsin's privacy policy prevented them from entering offender's social security numbers (SSN) in ICOTS. She asked if the other states had similar laws or regulations and if a missing SSN would result in a transfer rejection.

Training Coordinator M. Spring stated that based on the compliance review of offender identification data from about five years ago, it was predominantly Wisconsin's outgoing cases that did not have the SSNs. She added that the SSN was not a mandatory field.

Commissioner S. Reinhardt-Stewart (NE) stated that Nebraska Parole did not enter SSN into ICOTS. She added that one state denied an offender's transfer because of a missing SSN.

DCA T. Hudrlik (MN) noted that Minnesota did not share offenders' SSN and never had an issue with that.

DCA C. Frieberg (SD) stated that South Dakota was not allowed to collect the SSN even for their own proceedings.

Adjourn

Commissioner A. Godfrey (MN) moved to adjourn. Commissioner M. Hudson (IN) seconded.

Meeting adjourned at 11:41 am ET.