



Interstate Commission for Adult Offender Supervision

Deputy Compact Administrator Liaison Committee MINUTES

April 27, 2021 1:00 pm ET
Video conference

Members in attendance:

1. Suzanne Brooks (OH), Chair
2. Natalie Latulippe (CT)
3. Timothy Strickland (FL)
4. Simona Hammond (IA)
5. Mathew Billinger (KS)
6. Brandon Watts (TX)
7. Tanja Gilmore (WA)
8. Patricia Odell (WY)

Members not in attendance:

1. Denis Clark (ME)

Guests:

1. Melissa Kearney (DE)
2. Dina Rogers (NJ)
3. Rick Plank (VT)
4. Kathryn Finn (WI)

Staff:

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Mindy Spring, Administrative and Training Coordinator
4. Xavier Donnelly, ICOTS Project Manager
5. Kelsey Cole, Web Applications and Tech Support Manager

Call to Order

Chair S. Brooks (OH) called the meeting to order at 1:00 pm ET. Executive Director A. Lippert called the roll. All members were present, establishing a quorum.

Approval of Agenda and Minutes

DCA M. Billinger (KS) moved to approve the agenda as presented. DCA S. Hammond (IA) seconded. Agenda approved.

DCA T. Strickland (FL) moved to approve the minutes from January 26, 2021 meeting as drafted. DCA S. Hammond (IA) seconded. Minutes approved.

Discussion

Chair S. Brooks (OH) stated that at the last meeting, the committee discussed inviting new DCAs to the DCA Liaison Committee meetings to familiarize them with the committee members and operation. She welcomed Melissa Kearney (DE), Dina Rogers (NJ), Rick Plank (VT), and Kathryn Finn (WI) to the meeting. She added that Alma Underwood (CA) and Angie Hensley (IN) were not able to attend the meeting today.

Chair S. Brooks (OH) encouraged the new DCAs to utilize the DCA Mentoring program, explore training and information tools on the Commission's website, and reach out to their region chairs or to her personally if they need any assistance.

DCA Region Chair Election: Chair S. Brooks (OH) reminded the committee about the upcoming DCA region chair elections. She advised the region chairs to announce the election information at their region meetings. Interested DCAs need to submit their nomination by July 1st.

DCA Dashboard Program: Chair S. Brooks (OH) stated that the purpose of the DCA Dashboard program was to assist states with establishing sound procedures to ensure accurate and properly used ICOTS data. The committee will launch the program on July 1, 2021.

Training Coordinator M. Spring added that the DCA region chairs and the other DCA Liaison Committee members would serve as the point of contact for the program.

In FY22, the program will focus on the following topics:

- Q1 (July 2021-September 2021): Offender management
- Q2 (October 2021-December 2021): Retaking management
- Q3 (January 2022-March 2022): No transmitted activities; rejected case clean up (withdraw/close)
- Q4 (April 2022-June 2022): User clean up (remove roles, deactivate after 12 months, etc.)

The committee will finalize the program's implementation strategy at its next meeting in June.

Chair S. Brooks (OH) asked the committee members to start thinking about potential topics for FY23 DCA Dashboard program.

Warrant Tracking: Chair S. Brooks (OH) stated that the Commission would vote on the warrant rule proposal package and ICOTS enhancement proposal to create new managed processes for tracking warrants for compact offenders at the upcoming Annual Business Meeting.

Chair S. Brooks (OH) advised the committee to start having conversation on the state level about the implementation of the ICOTS enhancement. She added that the ICOTS enhancement would be considered as a separate vote at the 2021 ABM.

Training Coordinator M. Spring noted that the ICOTS enhancements consisted of three components:

1. New Warrant Status for ICOTS records: User entered data related to compact compliant warrants.
2. New email notifications managing the Warrant Status information based on triggers (Failure to Arrive, Disc Retaking, Mandatory Retaking, updates to Warrant Status information)
 - Warrant Status Needed-when no warrant record exists and/or data fields for 'Issuing authority' and 'NCIC verification date' are NULL (The tracking mechanism depended on manual entry as the NCIC and ICOTS systems did not speak with each other.)
 - Warrant Status Updated-when any data is added to a warrant record.
3. New managed activity for Discretionary Retaking.

Training Coordinator M. Spring added that each state would need to determine how to train on these new processes as procedures to obtain compact compliant warrants varies by state. States would also need to establish lines of communication to ensure compliance with the ICOTS privacy policy. It was important for users to confirm the status of active warrants and include a disclaimer on the warrant status screens in ICOTS as well as on every email notification regarding warrant status updates.

She noted that the new data would include a clear audit trail of who, what, and when an entry was made.

Compact Office Training April 28-30: Chair S. Brooks (OH) reminder the committee about the upcoming Compact Office training scheduled for April 28, 29, and 30. It will cover the new ICOTS enhancements, compliance dashboard reports, and the FY22 DCA Dashboard program. She encouraged everyone to attend these trainings.

Training Coordinator M. Spring asked the committee members to inform her if they plan to use the new ICOTS tool to *remove mandatory retaking obligation on addendum to OVR* prior to the scheduled trainings to help the national office analyze their effect on the external data.

Training Bulletin 1-2021i Reporting Instructions Processing for Living in Receiving State at the Time of Sentencing: Chair S. Brooks (OH) stated that earlier this year, the Training Committee issued a training bulletin to address an issue with the Request for Reporting Instructions (FRFI) processing for offenders living in receiving state at the time of sentencing. The bulletin stated that in circumstances where the seven-business day

timeframe was not met, sending states should provide a detailed explanation. States should cease practices to submit RFRIs for “Living in Receiving State at the time of Sentencing” as “Expedited” when outside the seven-day timeframe as well as deny RFRI requests received from other states for merely being outside the seven-day timeframe. These practices do not support transfer efficiency and accurate data in ICOTS. Failure to meet a timeframe did not change the reason for transfer/reporting instructions nor should it automatically disqualify an offender from returning home.

Some states expressed their concerns that the bulletin advocated handling offenders living in the receiving states at the time of sentencing and disregarding the listed timeframe.

The national office added clarifying language to the bulletin noting that it did not advise users to ignore the seven-day timeframe, instead, the bulletin was designed to address and improve user behavior in ICOTS.

Chair S. Brooks (OH) asked the committee members if they have heard any concerns about the bulletin after the national office published the clarification.

DCA N. Latulippe (CT) stated that the East Region DCAs did not have an issue with the bulletin. They met after the bulletin was modified and reviewed the updated explanation. She added that the clarification was appropriate and helpful and the DCAs were receptive to the message.

DCA M. Billinger (KS) stated that the Midwest Region had not had a formal meeting since the issuance of the training bulletin. He did not hear any concerns about the bulletin from his region.

DCA T. Strickland (FL) had not heard any complains about the bulletin. The topic was on the agenda for the South Region DCA meeting later this week.

DCA P. Odell (WY) stated that she had not heard any additional conversation around the bulletin.

Follow-up from Round Tables: Chair S. Brooks (OH) stated that last month, the national office hosted two round table discussions on *Remote Sentencing/Hearings* and *Electronic Signatures*. She attended the first session, which focused on remote hearings. It was very informative and useful.

Executive Director A. Lippert added that General Counsel Travis, Special Counsel Masters, NDAA Executive Director Bunn, and COSCA ex-officio member Stocks moderated both sessions. The *Remote Sentencing/Hearings* round table generated great discussion with a lot of interaction and engagement. The round table covered known issues and identified new ones. Based on the results of the discussion, General Counsel Travis drafted a whitepaper on *Remote Sentencing/Hearings*. Once approved, the paper would be

published on the Commission's website as a resource and guidance on the matter. The Executive Committee will vote on the whitepaper at its next meeting.

The *Electronic Signatures* round table was also well attended and generated good discussion. Since the use of electronic signatures depended upon sending state practices and laws and the Commission had already provided many resources on this matter, it was decided there was no need to issue a whitepaper. Instead, the national office would highlight identified principles in future Compact trainings.

DCA T. Strickland (FL) enjoyed the remote sentencing round table discussion. One of the best practices discussed at the session, was to provide clear documentation that the offender was remotely sentenced and identify the location of the offender at the time of sentencing. He thanked the national office for hosting this round table.

DCA M. Billinger (KS) stated that it was beneficial to have NDAA and COSCA representatives to be part of the discussion and hear opinion of people outside of Compact. The discussion was very valuable and educational.

Executive Director A. Lippert encouraged those who were not able to attend the round table sessions to listen to the recordings posted on the Commission's website. The national office was researching topics to host another series of round table discussion sometime this summer.

Old Business

There was no old business.

New Business

Chair S. Brooks (OH) stated that one of the issues that came out of the round table discussion was probable cause waivers and rule requirements for holding offenders in custody on a waiver. If an offender waived a probable cause hearing, was the receiving state required to hold the offender in custody? She asked the committee members if they had discussion on this matter in their respective regions.

DCA N. Latulippe (CT) stated that she did not have these cases on the probation side. In Connecticut, they developed their own retaking team and handled the approval process themselves.

DCA T. Strickland (FL) noted that some aspects of the probable cause process were clearly defined in rules, while others were quite vague. The Rules Committee needs to review the matter.

DCA M. Billinger (KS) stated that Kansas started community hearings a few years ago and had established avenue and tools for this process, however, they did not employ them for the compact cases.

DCA S. Hammond (IA) stated that in Iowa it was not an issue on the parole side. However, on the probation side, they had difficulties with getting judges to sign warrants to place offenders in jails especially in the last year due to restrictions around COVID-19.

DCA K. Flinn (WI) stated that she saw an issue with the due process. An offender could be going through a revocation process in one state but was not revocable in another.

Chair S. Brooks (OH) stated that in Ohio they did not see violation reports unless the case rose to the level of revocation, she added that they would keep those offenders in custody.

DCA T. Strickland (FL) congratulated Brook Mamizuka (HI) who was recently promoted to the commissioner position in the State of Hawaii.

The committee will meet again in June to get ready for the launch of the DCA Dashboard program.

Adjourn

DCA M. Billinger (KS) moved to adjourn. DCA T. Strickland (ME) seconded.

The meeting adjourned at 1:58 pm ET.