



Interstate Commission for Adult Offender Supervision

VIRTUAL **ABM 2021**

RULES COMMITTEE REPORT

To: Commissioners of the Interstate Commission for Adult Offender Supervision

From: Mary Kay Hudson, Chair, Rules Committee and Commissioner, State of Indiana

Rules Committee Members

Mary Kay Hudson (IN), Chair, Commissioner	Amy Vorachek (ND), Commissioner
Dori Littler (AZ), Vice-chair, Commissioner	Robert Maccarone (NY), Commissioner
Rebecca Brunger (AK), Commissioner	Timothy Strickland (FL), ex-officio, DCA
Amber Schubert (AR), Commissioner	Tracy Hudrlik (MN), ex-officio, DCA
Chris Moore (GA), Commissioner	Margaret Thompson (PA), ex-officio, DCA
Susan Gagnon (ME), Commissioner	Patricia Odell (WY), ex-officio, DCA

Mission

Administer the Commission's rulemaking procedures and objectively review or develop rule change proposals as appropriate.

Goals & Objectives

1. Review rule amendment proposals and make recommendations to the proposing entity to adopt, revise, or withdraw, as appropriate.
2. Review public comment on proposed rules.
3. Present the proposed rule amendments for Commission's consideration at the 2021 Annual Business Meeting.

Committee Actions

Following the 2020 Annual Business Meeting, the committee met on the following dates:

- October 8, 2020
- November 17, 2020
- February 3, 2021
- March 4, 2021 – scheduled face-to-face – amended to teleconference due to pandemic
- June 23, 2021

The majority of the Committee's work focused on preparing the 2021 ICAOS Rule amendment package. The Rules Committee, Midwest Region, and South Region submitted proposed amendments. A summary of the proposed rule amendments and their status relative to the 2021 rule amendment package is below.

Rules Committee Proposal

- *Rules 2.110, 4.111, 5.101, 5.102, 5.103 & 5.103-1*

The Rules Committee Warrant Timeframe Workgroup proposed amending the timeframe for issuing compact compliant warrant amendments in Rules 2.110, 4.111, 5.101, 5.102, 5.103 & 5.103-1 to a standard 15-day timeframe. The Rules Committee voted to adopt the workgroup's proposal for Commission's consideration at the 2021 Annual Business Meeting.

Rules Committee Chair M. Hudson (IN) and Vice-chair D. Littler (AZ) attended the region meetings to gather any concerns voiced by states. If the Commission adopts the proposed amendments, the Rules Committee will work with the Training Committee and the ICAOS National Office to assist states in complying with the new time frame and ensuring warrants are entered into NCIC properly.

Midwest Region Proposals

- *Rule 1.101 Definitions – Resident*

The Rules Committee voted to not recommend the Midwest Region proposal. The committee proposed an alternate proposal to amend Rule 1.101, which posted for public comment. At its June 23, 2021, the committee voted to amend its *Rule 1.101* proposal based on the comments received.

- *Rules 4.105 Arrival and departure notifications; withdrawal of reporting instructions*

The Rules Committee voted to recommend the Midwest Region withdraw its proposed amendment in favor of amending the notices of offender departure through an ICOTS enhancement. The Midwest Region withdrew this proposal (see February 3, 2021 and March 4, 2021 meeting minutes).

- *Rule 5.108 Probable cause hearing receiving state*

The Rules Committee voted to accept the Midwest Region's amendment (see March 4, 2021, meeting minutes).

South Region Proposal

- *Rule 3.103 Reporting Instructions; offender living in the state at the time of sentencing or after disposition of a violation or revocation proceeding.*

The Rules Committee voted to recommend the South Region withdraw its proposal based on concerns the proposed language incorporates process into the rules unnecessarily. The South Region voted to withdraw its proposal (see February 3, 2021, and March 4, 2021, meeting minutes).

On September 21, 2021, The Rules Committee chair and vice-chair will present on the proposed rule amendments. On September 27, 2021, the Commission will host a public hearing on the proposed amendments. The Commission will vote on the proposed amendments on September 29, 2021.

Respectfully Submitted,

Mary Kay Hudson

Mary Kay Hudson
Rules Committee Chair
Commissioner, Indiana