



Interstate Commission for Adult Offender Supervision

South Region Meeting MINUTES

March 1, 2021 • 1:00 pm ET
Video Conference

Members in Attendance:

1. Julie Kempker (MO), Chair
2. Tom Langer (AL)
3. Amber Schubert (AR)
4. Joe Winkler (FL)
5. Chris Moore (GA)
6. Steve Turner (KY)
7. Jamie Lee (LA)
8. Martha Danner (MD)
9. Timothy Moose (NC)
10. James Rudek (OK)
11. Lisa Helton (TN)
12. David Gutierrez (TX)
13. Jim Parks (VA)
14. Diann Skiles (WV)

Members not in Attendance

1. Richard Tischner (DC)
2. Nathan Blevins (MS)
3. Jerry Adger (SC)

Guests:

1. Dori Littler (AZ)
2. Elizabeth Powell (DC)
3. Tim Strickland (FL)
4. Angela New (FL)
5. Miriam Dyson (GA)
6. Mary Kay Hudson (IN)
7. Don Werner (KY)
8. Jerry Primes (LA)
9. LaShonda Lee-Campbell (MD)
10. Ryan Halbert (MO)
11. Richie Spears (MS)
12. Betty Payton (NC)
13. Melanie Collins (NC)
14. Debbie Duke (TN)
15. Rene Green (TN)
16. Brandon Watts (TX)
17. Tina Balandran (TX)
18. Julie Lohman (VA)

19. Amy Kirk (WV)

Staff

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

Call to Order

Chair J. Kempker (MO) called the meeting to order at 1:00 pm ET. Executive Director A. Lippert called the roll. Fourteen out of seventeen voting members were present, establishing a quorum.

Approval of Agenda and Minutes

Commissioner J. Rudek (OK) moved to approve the agenda as presented. Commissioner T. Lander (AL) seconded. Agenda approved.

Commissioner D. Skiles (WV) moved to approve the minutes from January 11, 2021 as drafted. Commissioner D. Gutierrez (TX) seconded. Minutes approved.

Discussion

Discuss the Rules Committee's recommendation to withdraw the South Region proposal to amend Rule 3.103: Commissioner M. Hudson (IN), the Rules Committee chair, stated that the Rules Committee met in February to review the South Region proposal to amend Rule 3.103 *Reporting instructions; offender living in the receiving state at the time of sentencing or after disposition of a violation or revocation proceeding.*

The Rules Committee discussed the amount of responsibility the proposed amendment placed on receiving states by advising offenders on supervision standards of another state as well as adding the unnecessary procedures to the rules. Commissioner M. Hudson (IN) advised about challenges of putting processes in the rules, as different states operated differently.

After consideration, the Rules Committee agreed that the amendment's concept generated many concerns, and recommended the South Region withdraw its proposal to amend Rule 3.103.

Executive Director A. Lippert explained that procedurally, the South Region had two options – to withdraw its proposal to amend Rule 3.103 per Rules Committee recommendation or to proceed with the proposal without the Rules Committee support.

DCA R. Hulbert (MO) expressed his concern with the legality issue as the proposed language mirrored the wording of Rule 3.102(d)(1).

Commissioner M. Danner (MD) moved to proceed with proposal to amend Rule 3.103 without the Rules Committee support. Commissioner D. Skiles (WV) seconded.

Commissioner A. Shubert (AR) stated that both the Rules Committee and the national office did not support the language mostly due to the legal concerns that shifted the responsibility from the sending state to the receiving state. She noted that the legal concerns that were raised with the

current proposal, were not present in Rule 3.102(d)(1). She added that the Rules Committee discussed the need to revise the language in Rule 3.102(d)(1) as well.

The region agreed that it was the matter of procedure and needed to be handled on the local level, rather than be added to the rules.

Commissioner M. Danner (MD) withdrew the motion. Commissioner D. Skiles (WV) agreed.

Commissioner A. Shubert (AR) moved to withdraw the South Region proposal to amend Rule 3.103. Commissioner C. Moore (GA) 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.

Commissioner M. Hudson (IN) and Rules Committee vice-chair D. Littler (AZ) are attending region meetings to address any questions and concerns regarding the proposal package.

Commissioner M. Hudson (IN) asked the region if they anticipated challenges to implementing the proposal package. She added that the national office and the Rules Committee would work with states to resolve their concerns.

Commissioner D. Littler (AZ) stated that idea for the proposal was in development for many years. She noted that current warrant timeframe rules were problematic and based on the FY19 compliance audit results, many states did not comply with them. Meeting the timeframe is not the biggest obstacle, it is that many states were not issuing warrants at all. The warrant proposal package provided solution to both problems.

Commissioner D. Littler (AZ) continued that this discussion was important to raise awareness about compact compliant warrants and the key to successful implementation was to provide proper training to all stakeholders.

Commissioner C. Moore (GA), Rules Committee member, stated that the Rules Committee also discussed what triggers the start of the timeframe’s countdown.

Chair J. Kempker (MO) stated that Missouri would struggle with the proposed changes until they provide proper education to their stakeholders.

Executive Director report/national office news: Executive Director A. Lippert presented her report to the region:

- The national office will host two round table discussions on ‘remote sentencing/hearings’ and the use of ‘electronic signatures’ moderated by Legal Counsel Travis, Special Counsel Masters, and ex-officio representatives from the National District Attorneys Association

(NDAA) and the Conference of State Court Administrators (COSCA). Commissioners and deputy compact administrators are invited to attend, ask questions, share their decision-making processes, and engage with other members. Since registrations are limited to allow all participants to engage in the discussion, the national office will have the session recordings available for review.

- The national office is working with Appriss to finish development of the FY21 ICOTS enhancements. The national office will send out an announcement before any new code release. The enhancements will be in production prior to June 20, 2021.
- At the recommendation of the West Region, the Training Committee approved a training bulletin to address ICOTS user behavior when processing requests for reporting instructions for offenders living in the receiving state at the time of sentencing.
- The Rules Committee will meet next week to finalize the proposed rules amendments.
- The Executive Committee will meet later in March to discuss whether the Commission should have an in-person or virtual Annual Business Meeting.

Executive Director A. Lippert encouraged the region members to read the monthly newsletter that lists Commission's news and developments.

Old Business

There was no old business.

New Business

Commissioner C. Moore (GA) advised the region that some of Georgia's jails were at capacity noting the difficulty this caused with retakings. He asked sending states to reach out to Georgia to work on solutions.

Adjourn

Commissioner C. Moore (GA) moved to adjourn. Commissioner J. Rudek (OK) seconded.

The meeting adjourned at 1:40 pm ET.