



## Interstate Commission for Adult Offender Supervision

### South Region Meeting MINUTES

April 13, 2021 · 1:00 pm ET  
Video Conference

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#### **Members in Attendance:**

1. Julie Kempker (MO), Chair
2. Tom Langer (AL)
3. Chris Moore (GA)
4. Jamie Lee (LA)
5. Timothy Moose (NC)
6. David Gutierrez (TX)
7. Jim Parks (VA)
8. Diann Skiles (WV)

#### **Members not in Attendance**

1. Amber Schubert (AR)
2. Richard Tischner (DC)
3. Joe Winkler (FL)
4. Steve Turner (KY)
5. Martha Danner (MD)
6. Nathan Blevins (MS)
7. Jerry Adger (SC)
8. James Rudek (OK)
9. Lisa Helton (TN)

#### **Guests:**

1. Lee Ishman (AL)
2. Elizabeth Powell (DC)
3. Tim Strickland (FL)
4. Angela New (FL)
5. Joe Kuebler (GA)
6. Miriam Dyson (GA)
7. Don Werner (KY)
8. Lavon Hill (KY)
9. Jerry Primes (LA)
10. LaShonda Lee-Campbell (MD)
11. Ryan Halbert (MO)
12. Richie Spears (MS)
13. Betty Payton (NC)
14. Melanie Collins (NC)
15. Chris Harris (SC)
16. Lloyd Turner (SC)
17. Debbie Duke (TN)
18. Carissa Miniard (TN)

19. Brandon Watts (TX)
20. Tina Balandran (TX)
21. Julie Lohman (VA)

### **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. Eight out of seventeen voting members were present, a quorum was not established.

### **Discussion**

*New rule proposals for Commission's consideration at the 2021 Annual Business Meeting:* Chair J. Kempker (MO) stated that the Commission would be voting on rule and ICOTS proposals at the 2021 Annual Business Meeting (ABM). She encouraged all members to record their comments in the rule proposals comments forum on the Commission's website.

Commissioner C. Moore (GA), Rules Committee member, presented the warrant timeframe rule proposal package to the region. The Rules Committee proposed the package to establish consistent timeframes in the interest of training stakeholders and public safety. The package included 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.

Commissioner C. Moore (GA) reminded the region that only one warrant timeframe (Rule 5.101), listed in the proposed package, was shortened from 30 calendar days to 15 business days. The other timeframes stayed the same or were extended.

Commissioner C. Moore (GA) stated that the Commission was aware of potential difficulties with implementing this rule proposal package and would work with states to resolve their concerns and issues. He added that based on the last meeting's discussion, the region was in support of this proposal package.

The region reviewed the Midwest Region and the Rules Committee proposals to amend *Rule 1.101 Definition of Resident*. The Midwest Region proposed to change qualification for 'resident' who resided in the receiving state 6 months prior to the request for transfer. The Rules Committee proposed to change qualification for 'resident' who resided in the receiving state 1 year prior to sentencing or supervision start date.

Executive Director A. Lippert explained that the Midwest Region proposed changes to *Rule 1.101 Definition of Resident*. The Rules Committee modified the proposal but did not have enough time to provide feedback to the Midwest Region. As a result, the committee crafted their own proposal to amend the Rule.

Training Coordinator M. Spring noted that both proposals removed “the commission of the offence” language that created confusion.

DCA T. Strickland (FL) noted that the Rules Committee proposal established procedures that were easier to document.

DCA J. Lohman (VA) inquired if the Midwest Region proposal also applied to fugitive offenders.

DCA T. Strickland (FL) confirmed the proposal included fugitive offenders. He encouraged DCA Lohman to document her concerns in the rule proposal comments forum.

DCA R. Halbert (MO) expressed his concern that the Midwest Region’s date to start the countdown was fluid and not static. He asked if a sending state followed up on a denied case by submitting a new transfer request, would it start the 180-day countdown over again.

DCA T. Strickland (FL) stated that based on the strict interpretation of the rule, it would start the 180-day countdown again.

Commissioner C. Moore (GA) spoke in support of the Rules Committee’s version as it was cleaner and easier to manage compare to the Midwest Region’s version.

DCA T. Strickland (FL) reminded the region that at the ABM, the Commission would vote to choose one of the two proposals.

DCA R. Halbert (MO) spoke in favor of the 1-year timeframe noting that it would be difficult for a defense attorney to postpone a case for over 180 days.

Commissioner C. Moore (GA) favored 180 days stating that if an offender was crime-free for 6 months, it was a good start of a good pattern.

DCA T. Strickland (FL) advocated for the 1-year timeframe stating that the first few month could be unstable for many offenders and if offenders could meet a 1-year requirement, then their conditions were more stable.

The region reviewed a proposal to amend *Rule 5.108 Probable Cause Hearing in the Receiving State* proposed by the Midwest Region. The proposal clarified that probable cause must be established prior to retaking on a violation that was revokable in the receiving state.

The region reviewed the last proposal to amend the Bylaws by adding the National District Attorneys Association (NDAA) as ex-officio member.

Executive Director A. Lippert noted that the Commission would vote on this proposal to amend the Bylaws by inviting NDAA to become an ex-officio member. The Association of Prosecuting Association (APA) is a current ex-officio member with a smaller membership of mostly large metropolitan areas. NDAA is made up of a much larger membership base, encompassing both large and small jurisdictions. In the last year, the Commission collaborated with both organizations on multiple trainings as well as round tables.

Executive Director A. Lippert noted that it was beneficial to maintain the relationship with both organizations.

*New ICOTS enhancement proposal for Commission's consideration at the 2021 Annual Business Meeting:* Executive Director A. Lippert stated that the Commission would vote on the ICOTS enhancement to create new managed processes for tracking warrants for compact offenders. The Technology Committee recommended three components to the enhancement proposal:

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
  - Warrant Status Updated-when any data is added to a warrant record
3. New managed activity for Discretionary Retaking. The tracking mechanism depended on manual entry as the NCIC and ICOTS systems did not speak with each other.

This enhancement would be considered as a separate vote at the 2021 ABM.

Executive Director A. Lippert added that even though this year's Annual Business Meeting takes place virtually, the national office would provide a session on the rule amendments and ICOTS enhancement prior to their being voted on.

DCA J. Lohman (VA) spoke for the enhancement proposal. She inquired about the violation report and replies review process.

ICOTS Project Manager X. Donnelly stated that similar to the Compact Action Request process, the compact office would have the ability to review a case without reassigning it to itself.

DCA T. Strickland (FL) asked if they would be able to export warrant related information from ICOTS.

ICOTS Project Manager X. Donnelly confirmed that the national office would launch a dashboard shortly after the approval and launch of the enhancement.

Executive Director A. Lippert reminded the region to provide their comments on the Commission's website by June 1, 2021.

### **Old Business**

There was no old business.

### **New Business**

Chair J. Kempker (MO) advised the region about the upcoming region chair election. The election will take place in September 2021. She expressed her interest in continuing to serve as the South Region chair, she also encouraged other commissioners to run if interested.

**Adjourn**

The meeting adjourned at 1:56 pm ET.