



Interstate Commission for Adult Offender Supervision

Executive Committee Meeting MINUTES

**August 18, 2021 @ 12 p.m. ET
Video Conference**

Members in Attendance:

1. Jeremiah Stromberg (OR), Chair
2. Gary Roberge (CT), Treasurer
3. Chris Moore (GA), Information Technology Chair
4. Mary Kay Hudson (IN), Rules Committee Chair
5. Russell Marlan (MI), Midwest Region Chair
6. Julie Kempker (MO), South Region Chair
7. Roberta Cohen (NM), West Region Chair
8. Dale Crook (VT), East Region Chair
9. Joselyn López (WI), Training, Education and Public Relations Committee Chair
10. John Gillis (NOVA), Ex-Officio

Members not in Attendance:

1. Hope Cooper (KS), Vice-Chair
2. Allen Godfrey (MN), Compliance Committee Chair
3. Suzanne Brooks (OH), DCA Liaison Committee Chair, Ex-Officio

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. Drake Greeott, Web Development Manager

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 12:01 pm ET; nine out of eleven voting members were present; a quorum was established.

Agenda and Minutes

Commissioner D. Crook (VT) moved to approve the agenda as presented. Commissioner J. Kempker (MO) seconded. Agenda approved.

Commissioner J. López (WI) moved to approve the minutes from June 16, 2021 meeting as drafted. Commissioner C. Moore (GA) seconded. Minutes approved as drafted.

Discussion

Compliance Committee report: Executive Director A. Lippert stated that currently there were no outstanding compliance matters. She added that the Compliance Committee had not met since the last Executive Committee meeting.

DCA Liaison Committee report: Executive Director A. Lippert stated that the DCA Liaison Committee was meeting on August 31. The committee invited new DCAs to attend the meeting for a formal meet and greet. At this meeting, the committee would evaluate the Roundtable on Retaking and identify ways to engage participants, provide feedback on the discretionary retaking ICOTS enhancement as requested by the Technology Committee, and discuss the Q2 of the Dashboard Program. She added that the committee completed the Q1 Dashboard Program rollout. Only the Midwest Region DCAs had full participation.

Executive Director A. Lippert stated that DCA Mark Patterson (OR) agreed to fill the role of West Region DCA chair.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Commission just started a new fiscal year, and it was too early to report on its financials. The Commission successfully completed its annual financial audit. The auditor's report came back clean and unmodified.

The Commission's Vanguard investment account had \$2,400,000 and the Commission's savings account had \$1,500,000.

The Finance Committee will meet next week to review changes to the Commission's annual dues table associated with the latest census results. In addition, the committee will review the audit report, FY 2021 financials, and FY 2022 projected expenditures.

Chair J. Stromberg (OR) noted that the Commission received clean and unmodified report every year during his time in the office and thanked Treasurer Roberge and Executive Director Lippert for their excellent management of the Commission's finances.

Executive Director A. Lippert stated that the dues assessment formula in use since 2002 was outlined in the Rule 2.103: $((State\ Population/US\ Population) + (State\ Offender\ Transfers/Total\ US\ Offender\ Transfers))/2$.

In 2002, calculations relied on population data from the US Census Bureau and the US Department of Commerce. In addition, the Commission incorporated a population estimate for compact offenders. At that time, there were additional estimates and adjustments for territory data due to incomplete information. As applied, the formula produced results for all states that were subsequently divided into five tiers.

In 2008, the Executive Committee added an additional tier for the US Virgin Islands per an ad hoc finance committee finding. This tiering distribution continued uninterrupted with an adjustment in dues calculation based on population figures from the 2010 decennial Census through FY 2022's assessment.

The 2020 decennial Census provided an opportunity to update state populations and evaluate any resulting change in individual as well as Commission-wide funding totals. Based on this data, the following individual state tier changes:

- Idaho increases from Tier 2 to Tier 3;
- Tennessee increases from Tier 3 to Tier 4;
- Michigan decreases from Tier 4 to Tier 3; and,
- Florida increases from Tier 5 to Tier 6.

FY 2021 dues are recorded at \$1,516,253.26 in revenue. Under the proposed FY 2023 dues scenario using the newest decennial Census figures, total revenue increases to \$1,532,298.30, a change of slightly more than one percent.

To set a good practice moving forward, the national office recommends recording the assessment calculation in 05-2004 Administrative Policy on Dues Assessment & Enforcement.

Executive Director A. Lippert noted that since the formula was set by the rule, there was no action taken in 2010 and no action was required from the Executive Committee at this time.

The committee was in favor of adding *Section D. Assessment* to the policy. The committee decided to add the dues ration range table to the policy as an appendix.

D. Assessment

1. Rule 2.103 outlines the formula for establishing dues obligations that uses population and offender transfer data.
2. Population and offender transfer numbers shall be updated decennially by respectively utilizing completed Census data and an annualized snapshot of offender transfer data from the electronic data system.
3. As authorized by the Executive Committee, states shall be classified in dues tiers based on the formula and assessed accordingly.

Dues Tiers

| Tier | Dues Ratio Range |
|-------------|--------------------------|
| One | Less than .001 |
| Two | Between .0011 and .00899 |
| Three | Between .009 and .02499 |
| Four | Between .025 and .03999 |
| Five | Between .04 and .05999 |
| Six | Anything .06 and up |

Commissioner G. Roberge (CT) moved to approve the Administrative Policy 05-2004 Dues Assessment & Enforcement as amended. Commissioner D. Crook (VT) seconded. Motion approved.

Technology Committee Report: Commissioner C. Moore (GA) stated that the Technology Committee met on August 11 to review the warrant tracking enhancement and its cost component. The enhancement consisted of two parts:

1. Warrant Status Bundle - \$56,565
 - Special status – Warrant Status: \$36,525
 - New warrant status email notifications: \$16,500
 - Warrant Status data fields to data export: \$3,540
2. New Discretionary Retaking activity - \$38,625

The total cost for both enhancements was \$95,190.

If the Commission votes to adopt a proposal to amend Rule 1.101 ‘Resident’ Definition, the cost to update ICOTS will be \$1,020.

The Technology Committee decided to present the warrant tracking enhancements as separate votes and recommend the Commission approve the warrant tracking bundle at a cost of \$56,565. The committee remained neutral on prioritizing the new discretionary retaking at a cost of \$38,625 pending additional region discussions on use of this new activity.

Executive Director A. Lippert added that the rule warrant package was not connected to the ICOTS enhancement on warrant tracking and the Commission will be voting on them separately.

Commissioner C. Moore (GA) continued that the Technology Committee also reviewed Service Level Agreement Policy for ICAOS Technology. The purpose of this policy was to ensure that ICAOS provides consistent IT service and support.

Rules Committee Report: Commissioner M. Hudson (IN) stated that the Rules Committee was meeting tomorrow for the last time before the Annual Business Meeting. The Rules Committee will lead the Rules & ICOTS Proposals session on September 21 and the Public Hearing on September 27.

Commissioner M. Hudson (IN) thanked the national office for putting together a PPT presentation on Rules & ICOTS proposals.

Training Committee Report: Commissioner J. López (WI) stated that the Training Committee had not met since the last Executive Committee meeting. She added that she would attend the American Probation and Parole Association (APPA) Training Institute this August in Boston.

ABM Planning Workgroup Report: Executive Director A. Lippert informed the committee that thus far, 142 people had registered to attend the virtual Annual Business Meeting. The meeting registration closes next week. She added that the national office was ready to publish the ABM Docket Book.

Chair J. Stromberg (OR) noted that with COVID-19 Delta variant numbers rising, the Executive Committee made the appropriate decision to move the ABM to the virtual format.

East Region Report: Commissioner D. Crook (VT) stated the East Region met on July 13 to review changes to a proposal to amend Rule 1.101 Definition of Resident. The region did not have a quorum. The region will meet again in September.

Midwest Region: Commissioner R. Marlan (MI) stated that the Midwest Region met on July 22. The region will meet again in September for their ABM meeting.

South Report: Commissioner J. Kempker (MO) stated that she cancelled the June South Region meeting as there was no official business to discuss. The region will meet again in September. She thanked Barno Saturday for putting together the South Region Docket book report.

West Region Report: Commissioner R. Cohen (NM) stated that the West Region met on July 15. The region had a long discussion on new ICOTS proposals. The region will meet again in September.

Victim Advocate Report: Victim Advocate J. Gillis (NOVA) stated that the victim assistance email program was going well. His next project was to review and modify victim notifications and their systems, if necessary.

Commissioner M. Hudson (IN) noted that the Indiana State Council was looking into a victim notification process for community supervision offenders.

Chair J. Stromberg (OR) outlined details of Oregon's Victim Bill of Rights for meaningful participation throughout entire criminal proceedings process.

Commissioner M. Hudson (IN) will reach out to Chair Stromberg and Victim Advocate Gillis for more information.

Commissioners J. López (WI) will share Wisconsin victims' notification process with Indiana as well.

Executive Director Report: Executive Director A. Lippert presented her report to the committee:

At the last meeting, the Executive Committee approved to seek legal analysis of the issue of allowing offenders to return to the receiving state on a travel permit after being retaken as requested by the State of Minnesota. Legal Counsel Travis drafted an Advisory Opinion answering Minnesota's questions and offered some guidance on that practice.

Executive Director A. Lippert noted that the legal analysis was the appropriate response to Minnesota, however she advised against publishing it as a formal Advisory Opinion. She suggested the Rules Committee review the issue and determine if there was a need to address it by the full Commission.

Oregon, Missouri, and Connecticut agreed.

The national office will inform Minnesota of the Executive Committee's decision.

Executive Director A. Lippert presented a request from the State of Hawaii to relax enforcement measures due to increasing COVID-19 cases.

Executive Director A. Lippert noted that Hawaii's compliance standard numbers since July 1, 2021 were above 80%.

Chair J. Stromberg (OR) inquired whether the committee should deal with such requests on individual basis or take measures affecting the whole Commission. He asked the committee members to share how their states were handling the pandemic. He added that Oregon had several jails that had been hit with outbreaks and had limited offender intake.

Commissioner D. Crook (VT) was for proactive approach to deal with the pandemic issues and was against reviewing such requests on individual basis. He suggested discussing the issue at the upcoming Annual Business Meeting in September.

Commissioner C. Moore (GA) stated that Georgia was not in a state of judicial emergency and had not changed their protocols. He added that regardless of executive orders, Sheriff's Offices could shut down their operations which would impact Compact transfers. He was in favor of making a decision affecting the whole Commission.

Commissioner G. Roberge (CT) stated that Connecticut did not have any executive orders related to the pandemic and they were 100% back working from their offices.

Commissioner J. Kempker (MO) noted that all Missouri state employees were working from their offices. She expressed her support in taking measures to protect employees and clients' wellbeing and agreed to discuss the matter at the ABM.

Executive Director A. Lippert reminded the Executive Committee that they can approve Hawaii's request under the Emergency Policy. However, if they want to invoke Rule 2.111, they must go to the full Commission.

Commissioner M. Hudson (IN) stated that Indiana never adopted emergency procedures and currently was back in person 100%. She added that last time the Commission invoked Rule 2.111, many states had executive orders related to the pandemic. She encouraged the committee to look at compliance standards data and set a benchmark for invoking the rule. If the committee did not have concrete measures, the decision to implement the rule would be arbitrary. She added that if a state was in violation of Compact rules because of the pandemic, the Compliance Committee can review cases on an individual basis and always suspend the enforcement of the rules for that state based on their circumstances.

Chair J. Stromberg (OR) noted that Hawaii listed a lack of staff as the basis for their request, which was a common issue in many states.

He asked the national office to prepare compliance trends to present to the Commission during this discussion at the Annual Business Meeting.

Commissioner R. Cohen (NM) was in support of postponing the decision on Hawaii's request and discussing the matter at the upcoming ABM.

Commissioner G. Roberge (CT) moved for the national office to provide a response to Hawaii encompassing the Executive Committee's conversation and its decision to continue the discussion at the ABM. Commissioner C. Moore (GA) seconded. Motion passed.

FY 2021 Annual Report was ready for publishing.

The filming for Commission's documentary was half-way through. The completed film will be presented at the next year's Annual Business Meeting.

The national office had engaged with the University of Cincinnati to work on a compact study. The study will be presented at the next year's Annual Business Meeting.

The national office hosted a roundtable on Retaking Challenges. Staff was looking into strategies to make roundtable discussions more interactive and engaging.

Old/ New Business

Executive Director A. Lippert introduced Drake Greott, Web Development Manager and new National Office staff member.

Adjourn

Commissioner G. Roberge (CT) moved to adjourn. Commissioner C. Moore (GA) seconded.

The meeting adjourned at 1:17 pm ET.

Jeremiah Stromberg
Jeremiah Stromberg (Oct 5, 2021 07:47 PM)






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Final Audit Report

2021-10-05

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