



## Interstate Commission for Adult Offender Supervision

### East Region Meeting MINUTES

September 22, 2021 · 10:00 am ET  
Video Conference

---

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

1. Dale Crook (VT), Chair
2. Gary Roberge (CT)
3. Gloriann Moroney (MA)
4. Susan Gagnon (ME)
5. David Cady (NH)
6. Samuel Plumeri (NJ)
7. Raquel Colon (PR)
8. Ingrid Siliezar (RI)
9. Robert Maccarone (NY)
10. Wynn Timermark (VI)

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

1. Terra Taylor (DE)
2. Linda Rosenberg (PA)

#### **Guests:**

1. Joseph Garibaldi (CT)
2. Natalie Latulippe (CT)
3. Sarah Puzzo (CT)
4. Scott Bonchuk (CT)
5. William Neuweiler (CT)
6. Kevin Keefe (MA)
7. Denis Clark (ME)
8. Jeanne Stewart (NH)
9. Matt Charton (NY)
10. Jim Carswell (NY)
11. Dina Rogers (NJ)
12. Shyra Bland (NJ)
13. Jessica Judkins (NJ)
14. Margaret Thompson (PA)
15. Matthew Reed (PA)
16. Rickey Plank (VT)

#### **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 D. Crook (VT) called the meeting to order at 10:02 am ET. Ten out of twelve commissioners were present, a quorum was established.

**Agenda and Minutes**

**Commissioner R. Maccarone (NY) moved to approve the agenda as presented. Commissioner G. Roberge (CT) seconded. Agenda approved.**

**Commissioner G. Roberge (CT) moved to approve the minutes from May 3, 2021 meeting as drafted. Commissioner S. Gagnon (ME) seconded. Minutes approved.**

**Commissioner G. Roberge (CT) moved to approve the minutes from July 13, 2021 meeting as drafted. Commissioner R. Maccarone (NY) seconded. Minutes approved.**

**Discussion**

*Review rule and ICOTS enhancement proposals for Commission's consideration at the 2021 Annual Business Meeting. Proposal to amend Bylaws Article 2, Section 2:* Executive Director A. Lippert stated that the Commission would vote on this proposal to amend the Bylaws by inviting National District Attorneys Association (NDAA) to become an ex-officio member. NDAA is made up of a much larger membership base, encompassing both large and small jurisdictions.

Commissioner R. Maccarone (NY), Rules Committee member, noted that by adding NDAA as the Commission's ex-officio member, the Commission would include representation from some of smaller jurisdictions as well as small states.

The region had no comments on the proposal.

*Proposal to amend Rule 1.101 Definition of Resident:* Executive Director A. Lippert stated that the Rules Committee clarified and made changes to the existing rule as it was overly restrictive.

Commissioner R. Maccarone (NY), Rules Committee member, informed the region that the Rules Committee added 'continuously and immediately' to section 1 clarifying the trigger for when the 1-year timeframe for qualification for a resident starts. He added his appreciation for many people across the country who were involved in the drafting of this proposal.

The region had no comments on the proposal.

*Proposal to amend Rule 5.108 Probable Cause Hearing in the Receiving State:* Executive Director A. Lippert stated that the proposal clarified that probable cause must be established prior to retaking on a violation that is revokable in the receiving state.

Commissioner R. Maccarone (NY), Rules Committee member, noted that this amendment simply was a clarification to current practices and not a substantial change. It will improve the procedural justice for individuals for both on probation and parole supervisions.

*Warrant Proposal Package:* Executive Director A. Lippert stated that the proposal package expanded 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. She asked the region for any concerns about the package. She added that the rule package was well vetted.

Commissioner R. Maccarone (NY), Rules Committee member, noted the importance of distinguishing interstate warrants from the other warrants adding that judges want to ensure due process related to normal warrants; but, in Interstate Compact, the due diligence has already been managed by the receiving state.

Commissioner R. Maccarone (NY) reminded the region that 15 business days translated to 22 calendar days. He was proud to be in support of this package.

The region had no comments on the proposal package.

*Proposed ICOTS enhancements:* Executive Director A. Lippert presented proposed ICOTS enhancements and their cost to the region.

The Technology Committee proposed ICOTS enhancement to create warrant tracking process that consisted of two parts:

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

The Technology Committee will 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.

The total cost to add the above enhancements to ICOTS was \$95,190.

DCA N. Latulippe (CT) supports both ICOTS enhancements noting the significant value for having the new discretionary retaking activity. She added that even though most DCAs were not certain how often they used this function, not including it could cause communication issues when the activity occurs on the user level without compact office involvement.

DCA M. Thompson (PA) agreed with DCA Latulippe.

*Provide state's COVID-19 update: Vermont* - Chair D. Crook stated that they had very few COVID-19 related restrictions and courts were transitioning from virtual to in-person sessions. The biggest concern they had was with staffing. Their probation and parole officers supplemented staffing in facilities. They also had staffing issues with law enforcement and sheriffs that might result in delays with offender transport and retaking.

*Connecticut* - Commissioner G. Roberge stated that Connecticut was fully open and operational. Their courts were functional, and the state is allowing out of state travel for business purposes.

The biggest issues they experienced were lack of treatment providers. He expressed his appreciation to DCA Latulippe and DCA Garibaldi for their work and dedication.

*Pennsylvania* – DCA M. Thompson noted that Pennsylvania was open and operational, with some counties having more limitations than the others. Their offenders reported directly to the offices. Many courts were fully open and operational. The biggest issue they were facing was the limited offender transportation options.

*Massachusetts* – Commissioner G. Maroney noted that Massachusetts was in status quo. Their court system was up and running and most business occurred in person. They had limited COVID-19 related restrictions and experienced limitation in terms of provider and treatment availability.

*New Hampshire* – Commissioner D. Cady stated that like Vermont, their probation and parole offices were open and fully operational. Their courts had big backlog and his department had staff shortage. The Parole Board is currently operating. He did not expect any executive orders that would impact the Interstate Compact process.

*Maine* - Commissioner S. Gagnon stated that Maine was in good shape, they operated in a hybrid model, they had a mask mandate in all government buildings, and there were no outstanding executive orders related to the pandemic. They experienced no issues with their providers or transport. They were looking at revising current policies and graduating sanctions as the result of the pandemic. She did not expect any executive orders that would impact the Interstate Compact process.

*New Jersey*: Commissioner S. Plumeri noted that the Interstate Compact was part of the essential personnel therefore it never stopped its operations. They continued to do home visits and provide other Interstate Compact services. Starting next month, all civilian personnel would report to the office in-person four times a week and virtually one time a week.

*New York*: Commissioner R. Maccarone stated that earlier this month, they issued a state directors' memorandum rescinding the emergency procedures that had been in place since March 2020. One county requested and was granted a temporary waiver. The courts were back to doing essential business only. Due to recent process changes, individuals would no longer return to incarceration for technical violations and would receive up to 30-days of detention instead.

DCA J. Carswell added that their office was in stage 2 out of 4 of reopening.

DCA M. Charton stated that most counties were back to operating in person and there was no major disruption to Compact operations.

*Puerto Rico*: Commissioner R. Colon PR stated that some courts were still working remotely. However, they were open and had minimum COVID-19 related restrictions. The compact office continued to make in-person home visits, and she did not anticipate any executive orders that would impact Compact operations.

*Rhode Island*: Official Designee I. Siliezar stated that Rhode Island had operating normally since last September. They were experiencing staff shortages due to the governor's incentive to retire people eligible for retirement, however, they were in the process of hiring.

*FY 2023 Dues Assessment changes based on 2020 census and offender numbers:* 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.

No East Region states were affected by census changes.

Under the proposed FY 2023 dues scenario using the newest decennial Census figures, total revenue increases slightly more than one percent.

Executive Director A. Lippert noted that the region members could find the detailed census changes and budget information in the 2021 ABM Docket book.

The region members did not have any comments on this matter.

### **Old Business/New Business**

*Region chair election:* Chair D. Crook (VT) asks for any nominations from the floor for region chair.

**Commissioner G. Roberge (CT) made a motion to nominate Chair D. Crook (VT) for East Region chair. Commissioner R. Maccarone (NY) seconded. Chair D. Crook (VT) accepted the nomination. Motion approved.**

### **Adjourn**

The meeting adjourned at 10:59 am ET.