



## Interstate Commission for Adult Offender Supervision

### Compliance Committee Meeting MINUTES

March 17, 2021 · 1:00 pm ET  
Video Conference

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

1. Allen Godfrey (MN), Chair
2. Hope Cooper (KS)
3. Cathy Gordon (MT)
4. Sally Reinhardt-Stewart (NE)
5. Amy Vorachek (ND)
6. Dale Crook (VT)
7. Diann Skiles (WV)
8. Jacey Rader (NE), Ex-officio
9. Suzanne Brooks (OH), Ex-officio

#### **Not in Attendance:**

1. Gloriann Moroney (MA)

#### **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 A. Godfrey (MN) called the meeting to order at 1:01 p.m. ET. Executive Director A. Lippert called the roll. Seven out of eight voting members were present; a quorum was established.

#### **Approval of Agenda and Minutes**

**Commissioner D. Crook (VT) moved to approve the agenda as presented. Commissioner H. Cooper (KS) seconded. Agenda approved.**

**Commissioner C. Gordon (MT) moved to approve the minutes from December 21, 2022, as drafted. Commissioner D. Skiles (WV) seconded. Minutes approved.**

#### **Discussion**

*FY2022 Discretion Assessment Results:* Executive Director A. Lippert presented the national report of the FY2022 Rejection Assessment to the committee for review. She reminded the committee that in 2016, the Commission conducted a discretionary transfer assessment. According

to the findings, failing to verify transfer plans and provide sufficient justification for transfer requests resulted in a rejection of nearly 80% of discretionary transfer requests. Acceptance rates only slightly improved after the publication of an ICOTS dashboard in 2020. Subsequently, the Compliance and Executive Committees decided to conduct a follow-up assessment of transfer decisions for both discretionary and mandatory transfers in FY2022.

The purpose of the FY2022 assessment was to review the extent of change following the 2016 assessment and identify common factors impeding present-day acceptance rates.

The total acceptance rate slightly increased from 76.3% in FY2015 to 79.1% in FY2021 with discretionary rates increasing by 9%.

Training Coordinator M. Spring stated that the FY2015 data included the entire fiscal year. The FY2022 audit used data from April of FY2021 for all mandatory and discretionary transfers.

She noted that similar to FY2015, more than 70% of rejections in FY2022 resulted from a failure to verify transfer plans and provide sufficient justification for transfer requests. Other rejection reasons included: offenders being in receiving state without permission; technical rejections; offenders absconded during pending transfer investigation; offenders being not in substantial compliance/new charges; and offenders returned or changed their mind about the transfer.

As part of the audit, states completed a self-assessment to provide ideas for improving acceptance rates. Recommendations from the Self-Assessment include focusing on training; outgoing transfer verification; incoming transfers procedures; improving communication between states; as well as technical suggestions for ICOTS enhancements.

Executive Director A. Lippert noted that in 2020, the Commission amended the sex offender definition and Rule 3.101-3 to reduce improper denials of sex-offender transfers. An expected increase in the number of sex-offender transfer requests occurred. However, based on the audit data, the rejection rate for sex-offender transfers did not improve. Transfer requests for sex-offenders in FY2021 comprise 9% of all transfers requested and account for 20.5% of the total rejections.

Commissioner D. Crook (VT) inquired whether COVID restrictions impacted the audit results.

Executive Director A. Lippert noted that COVID did not impact the results of the audit as compact transfers had returned to pre-COVID numbers by the end of 2020.

The committee discussed highlighting the audit results at the upcoming Annual Business Meeting. Additionally, the committee recommended sending states their acceptance statistics twice a year starting on January 1, 2023, to help to improve their numbers.

The committee encouraged discussing the sex-offender transfer and denial numbers at the regional level.

*FY2023 Data Integrity Audit Recommendation:* Executive Director A. Lippert stated that the DCA Dashboard initiative designed to promote dashboard usage among DCAs showed little progress in identifying and resolving data entry errors. The number of duplicate and junk offenders continued to rise, implying that states were not taking the necessary steps to ensure the accuracy of ICOTS data. Accordingly, the national office recommends the FY2023 audit focus on the following ICOTS data elements: demographic; photo; junk/duplicate offender profiles; rejected cases; and offenders awaiting retaking.

**Commissioner S. Reinhardt-Stewart (NE) moved to recommend the Executive Committee approve the FY2023 data integrity audit. Commissioner D. Crook (VT) seconded. Motion passed.**

*Review data and dashboard modifications:* DCA S. Brooks (OH) stated that per the Compliance Committee request, the DCA Liaison Committee drafted a survey to evaluate compliance measures to identify deficiencies and to determine what, if any, compliance standards should be added to compliance summary and quarterly emails. The committee will meet again on May 11 to review the results and develop recommendations in needed.

*Committee Vice-Chair:* Chair A. Godfrey (MN) discussed the need to establish a vice-chair for the committee. He asked interested committee members to email him by April 1.

*State Council Report:* The committee reviewed the state council report prepared by the national office.

Chair A. Godfrey (MN) asked the committee members to think about the committee's role in this process. The committee will continue discussion of state councils at its next meeting.

### **Old Business**

Chair A. Godfrey (MN) reminded the committee that Washington filed a complaint against the Commonwealth of Kentucky for failing to issue a compact warrant. As Kentucky issued the required warrant, the committee asked them to provide a written response that details the actions they would take to remedy future issues of this nature. Kentucky provided their written response on January 27. The response outlined a detailed training plan for involving stakeholders.

**Commissioner D. Skiles (WV) moved the national office send a notice to Commonwealth of Kentucky stating that the Compliance Committee reviewed and approved Kentucky recommendation for corrective action issuing warrants. Commissioner D. Crook (VT) seconded. Motion passed.**

### **New Business**

There was no new business.

### **Adjourn**

**Commissioner D. Crook (VT) moved to adjourn. Commissioner H. Cooper (KS) seconded.**

Meeting adjourned at 2:06 p.m. ET.

