



Interstate Commission for Adult Offender Supervision

West Region Meeting MINUTES

**April 19, 2022 · 2:00 PM ET
Video Conference**

Members in Attendance:

1. Mac Pevey (WA), Chair
2. Rebecca Brunger (AK)
3. Dori Littler (AZ)
4. Guillermo Viera Rosa (CA)
5. Andrew Zavaras (CO)
6. Brook Mamizuka (HI)
7. Cathy Gordon (MT)
8. Roberta Cohen (NM)
9. Deborah Dreyer (NV)
10. Jeremiah Stromberg (OR)
11. Coltan Harrington (WY)

Members not in Attendance:

1. Denton Darrington (ID)
2. Dan Blanchard (UT)

Guests:

1. Lorna Colver (AK)
2. Collin Hocker (CO)
3. Devon Whitefield (CO)
4. Judy Mesick (ID)
5. John Gillis (NOVA)
6. Victoria Vigil (NM)
7. Shannon Serena (NV)
8. Jeremy Geoffroy (NV)
9. Mark Patterson (OR)
10. Ly Tran (WA)
11. Patricia Odell (WY)

Staff:

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Barno Saturday, Logistics and Administrative Coordinator
4. Xavier Donnelly, ICOTS Project Manager
5. Drake Greeott, Web Development Manager

Call to Order

Chair M. Pevey (WA) called the meeting to order at 2:03 pm ET, eleven out of thirteen members were present; a quorum was established.

Approval of Agenda and Minutes

Commissioner J. Stromberg (OR) moved to approve the agenda as presented. Commissioner G. Viera Rosa (CA) seconded. Agenda approved.

Commissioner D. Littler (AZ) moved to approve the minutes from January 25, 2022, as drafted. Commissioner B. Mamizuka (HI) seconded. Minutes approved.

Discussion

FY 2022 Rejection Assessment Report – Policy and Operations Director A. Eskridge stated 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. The purpose of the FY 2022 assessment was to review the extent of change following the 2016 assessment and identify common factors impeding present-day acceptance rates. The total acceptance rates slightly increased from 76.3% in FY 2015 to 79.1% in FY 2021 with discretionary rates increasing by 9%.

He continued that similar to FY 2015, more than 70% of rejections in FY 2022 resulted from a failure to verify transfer plans and provide sufficient justification for transfer requests.

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 encouraged states to utilize recommendations from the audit's self-assessment to improve their acceptance rates.

Chair M. Pevey (WA) noted that the Executive Committee had an extensive discussion on the assessment process, its data, and results. He added that the ABM Planning Workgroup included two sessions on the FY 2022 assessment in this year's Annual Business Meeting agenda. On Monday of the meeting, DCAs will discuss best practices for improving outgoing transfer acceptance rates and on Wednesday, commissioners will debate the issue at the policy level.

Commissioner R. Cohen (NM) cited difficulties with the training piece due to staff shortages.

Chair M. Pevey (WA) stated that Washington introduced a checklist to put together a valid supervision plan and saw significant dividends.

DCA M. Patterson (OR) noted that at the West Region DCA meeting, DCAs had discussed the importance of housing verification during the application's vetting process.

FY 2023 Data Integrity Audit – Policy and Operations Director A. Eskridge stated that the Commission had ICOTS data exchanges with law enforcement agencies at the local, state, and federal levels and the Commission must ensure that the data extracts contain valid, reliable, and timely information for our internal and external partners. Therefore, the Executive Committee adopted FY 2023 Compliance audit to focus on the following ICOTS data elements: demographic; photo; junk and duplicate offender profiles; rejected cases; and offenders awaiting retaking.

Revised and Retired ICAOS Administrative Policies – Executive Director A. Lippert informed the region that the national office completed a comprehensive review of all ICAOS Administrative Policies (AP). The Executive Committee retired three AP and two appendices.

- AP 2004-06 Financial Practice. The national office notes that the accounting manual supplants this policy.
- AP 2005-01 Benchbook Distribution. The national office notes that distribution of benchbooks, as with other ICAOS material, now occurs online. Outdated requirements.
- AP 2007-01 Advisory Opinion Issuance. The national office notes that relevant requirements merged into Accessing Legal Counsel policy 2004-02.
- AP 2009-05 Audit Standards Appendix 1. The national office notes that this are outdated procedures. Audits now approved by Compliance & Executive Committees.
- AP 2009-05 Audit Standards Appendix 2. The national office notes description of rules not required in policy to conduct audits. The policy requires an update with any rule change.

Executive Director A. Lippert stated that the Executive Committee approved revisions to eight Administrative Policies.

- AP 2004-02 Accessing Legal Counsel. The national office merged with advisory opinion policy (AP 2007-01). In addition, it clarified access flows through the executive director and/or Executive Committee.
- AP 2004-07 Travel Policy. The current \$500 limit was set when the Commission was formed, but recent economic uncertainties indicated an increase may be necessary. The national office recommends \$650 airfare increase.
- AP 2006-01 Alcohol Consumption. Simplified language.
- AP 2007-02 Communicating with Members of the Public. Clarified applicability when media or public contact compact administrators or staff regarding state matters. Old language was too broad. Clarified that the policy addresses disputes not all communication between states.

- AP 2008-01 Training and Technical Assistance, General clean-up and elimination of language referring to stipends. Engagement is approved by the Executive Committee.
- AP 2009-01 Guidelines for Handling Closed Session Minutes. Reordered to increase clarity. Eliminated requirement to review closed session minutes periodically.
- AP 2009-02 Record Retention and Destruction Policy. Clarified what documents, emails, etc. are maintained. Accounting and finance reflect the appropriate schedules. Specifies that electronic documents are the preferred standard of storage. Updated personnel and accounting retention schedule. Eliminated redundancy.
- AP 2009-06 ICOTS Privacy Policy - Clarified language, incorporated timeframes to handle data entry errors, condensed and simplified sections on data sharing for clarity, removed fees as these are not collected.

Executive Director A. Lippert added that starting tomorrow, all ICOTS users would be prompted to accept the new Privacy Policy when they log in to ICOTS.

2022 Annual Business Meeting – Executive Director A. Lippert informed the region that the Executive Committee approved the ABM Workgroup recommendation for 2022 Annual Business Meeting Agenda. The Commission will meet on September 26-28, 2022 in New York City, NY to conduct business and celebrate its 20th Anniversary. The meeting will consist of the DCA Training Institute and the business meeting. Attendees will view a documentary about the Interstate Compact sponsored by the National Institute of Corrections, discuss a Compact study conducted by the University of Cincinnati Corrections Institute, and engage in discussion on Commission's past, present, and future. The meeting registration will open on July 1.

Commissioner J. Stormberg (OR) noted that the Executive Committee agreed to follow mandate requirements imposed at the meeting location without adding additional constraints and will clearly communicate meeting expectations to attendees prior to the meeting. He added that the Executive Committee continued to monitor the situation to make educated decisions based on the evolution of the pandemic and related guidance.

Old Business

Technology Committee rejected ER_2023_XX_GangAffiliation_West proposal – Chair M. Pevey (WA) informed the region that the Technology Committee reviewed the West Region proposal ER_2023_XX_GangAffiliation to make 'Gang Affiliation' a required field on the transfer request and RFRI. After discussion on how the drop-down field was typically used and when POs had access to information about gang affiliation, the Technology Committee voted to reject the proposal to make the Gang Affiliation field mandatory.

Workgroup on Tribal Best Practices Update - Chair M. Pevey (WA) informed the region that the Workgroup on Tribal Best Practices was scheduled to meet on April 21. Currently, the workgroup was collecting best practice documents of working with independent tribes.

New Business

2022 ICOTS Enhancement Proposals Comment Period: May 1-June 1, 2022 – ICOTS Project Manager X. Donnelly advised the region to make comments on proposed ICOTS enhancements during the comment period from May 1-June 1, 2022.

Executive Director A. Lippert added that Appriss will provide cost estimates for the enhancements sometime in August prior to Commission's voting at the ABM.

2023 Rule Amendment Deadline: February 1, 2023 – Executive Director A. Lippert informed the region that the 2023 rule amendment deadline was February 1, 2023. She advised the members to bring their proposals to the region's attention sooner rather than later to allow adequate time for regions and DCA regions to review and debate their merits.

New Advisory Opinion: Commissioner A. Zavaras (CO) inquired the region about interpretation of Rule 5.108 (f), specifically a situation when a probable cause was established but the other state was unable to take an offender into custody without a warrant. Colorado will request an advisory opinion to clarify the issue.

Commissioner D. Littler (AZ) agreed that the rule needed clarification. She suggested proposing a rule change, rather than requesting an advisory opinion, since they only apply to a specific case. She suggested revising section (f), (g), and (e) of the discussed rule.

Executive Director A. Lippert noted that the Commission had an advisory opinion about arrest authority among both sending and receiving states though for some states it could be challenging to apply it to a probation case with technical violations. She supported Arizona's recommendation to address the matter in a rule proposal.

The region will meet again on June 21 at 2 pm ET.

Adjourn

Commissioner A. Zavaras (CO) moved to adjourn. Commissioner D. Littler (AZ) seconded.

The meeting adjourned at 3:01 pm ET.