



Interstate Commission for Adult Offender Supervision

South Region Meeting MINUTES

September 11, 2024 @ 2 PM MST
Scottsdale, AZ

Members in Attendance:

1. Steve Turner (KY), Chair
2. Tom Langer (AL)
3. Jim Cheek (AR), Official Designee
4. Elizabeth Powell (D.C.), Official Designee
5. Chris Moore (GA)
6. Joe Winkler (FL)
7. John Mosley (MO)
8. Termico Thomas (MS), Official Designee
9. Maggie Brewer (NC)
10. Rhett Covington (LA)
11. Deborah Romine (OK)
12. Twanna Davis (SC), Official Designee
13. Chris Hill (TN)
14. Jim Parks (VA)
15. Jonathan Huffman (WV)

Members not in Attendance:

1. Bobbie Jo Flockler (MD)

Guests:

1. Lee Ishman (AL)
2. Beverly Gilder (AL)
3. Matthew Hudson (DC)
4. Sharon Davis (FL)
5. Tim Strickland (FL)
6. Christopher Lane (FL)
7. Pat Tuthill (FL)
8. Tamecha Buck (GA)
9. Miriam Dyson (GA)
10. Joe Kuebler (GA)
11. Karlysia Johnson (GA)
12. Felisha Lowe (GA)
13. Rita Rothwein (GA)
14. Don Werner (KY)
15. Keisha Owens (LA)
16. LaShonda Lee-Campbell (MD)

17. Adam Albach (MO)
18. Rick Kuttenkuler (MO)
19. Deanna Laird (MO)
20. Alison Woodruff (MO)
21. Ashley Meadows (NC)
22. Betty Payton (NC)
23. Emily Keefer (OK)
24. Jocelyn Angton (TX)
25. Cynthia Stout (TX)
26. Julie Lohman (VA)
27. Jordan McKinley (WV)

Staff:

1. Mindy Spring, Administrative and Training Coordinator

Call to Order

Chair S. Turner (KY) called the meeting to order at 2:03 pm MST. Fifteen voting members were present, a quorum was established.

Approval of Agenda and Minutes

Commissioner M. Brewer (NC) moved to approve the agenda as presented. Commissioner T. Langer (AL) seconded. Motion passed.

Commissioner M. Brewer (NC) moved to approve the minutes from May 6, 2024. Commissioner T. Langer (AL) seconded. Motion passed.

Discussion

Collaborative Session Debrief: Chair S. Turner initiated the debrief by noting the sessions provided an opportunity for small group discussions where states could be vocal, hear other perspectives and how states although different, have the same or similar struggles. The sessions provided solution driven conversations for how states can deal with issues successfully. Suggestions for improvement from South Region members included:

- Longer sessions
 - Less Topics (instead of 4, do 2 with more time)
 - Separate rooms for each topic
 - Poll ABM attendees prior to session to identify most important issues to center discussions
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- Commissioner J. Winkler (FL) would like the Commissioner training to be offered at upcoming ABMs finding the content good for both new and seasoned commissioners.
 - Florida's and the Commission's prior Victim's Representative P. Tuthill, asked members to review their states' statutes to ensure the purposes of the compact are the focus during conversations and future training sessions.

Rule Proposal Recommendations: Chair S. Turner (KY) asked DCA T. Strickland (FL) to provide an update for rule proposals discussed in the South DCA Meetings.

DCA T. Strickland (FL) noted the region's DCAs met three times over the summer drafting various proposals shared with the region prior to the meeting. He indicated the proposals are not finalized in format for regional vote at this time but gave a summary of the proposals to be presented at the next South Region meeting.

- 5.105: Creates a new 'notification' intended to measure the 30 days in which retaking is required. T. Strickland indicated the proposal could be implemented with the current functionality of ICOTS without the need for an enhancement and indicated the language simply enforces requirements already in Rule 2.101.
 - National office staff M. Spring suggested the DCAs have more conversations on what the notification would look like, specifically how this amendment would be enforced without changes to ICOTS functionality. Review of violation data, there are still training issues with ICOTS users on when a supervised individual is 'available' for retaking.
 - DCA J. Lohman (VA) noted that the East's proposal to 5.108 around establishing PC and 'availability' could affect the scope of this rule change.
- Rule 4.110: Clarifies responsibilities during subsequent state transfers by adding new language requiring notices of departure from the original receiving state in addition to the original sending state.
 - National office staff M. Spring noted the language in (e) & (f) could pose training issues referencing new notifications not currently in ICOTS. Language in (e) does not specify who sends the notifications and could be read as redundant to (f).
 - DCA J. Lohman (VA) stated the reference to Rule 4.112 in (f) should be revisited as there currently is no closure reason specifically for subsequent state transfers. In ICOTS those are marked as 'other.'
 - Florida's and the Commission's prior Victim's Representative P. Tuthill, stressed the importance of victim notification during a subsequent state transfer.
- Rule 4.105: Adds new language to Rule 4.105 specifically for both returns and subsequent state transfers. Although the proposal states an ICOTS enhancement is not needed, this proposal does create a new notification an original receiving state would be required to make. This notice would need to be added to ICOTS to effectively track and measure compliance.
- Rule 3.103: Rule 3.103 is the sole provision in ICAOS rules allowing supervised individuals sentenced to immediate supervision to return to their residence in a receiving state prior to issuance of reporting instructions. Proposal from the South Region DCAs intends to exclude 'violators' not previously transferred, absconders and parolees when returning after disposition of a violation or revocation proceeding. DCA T. Strickland (FL) noted the consensus amongst the south DCAs is these cases should be handled as 'expedited' giving a receiving state the 2 business days to decide whether to allow the individual to be in a receiving state during the investigation.

- National office staff M. Spring noted this rule has been subject to varying interpretations as discussed in the collaborative sessions at the last 2 ABMs.
 - Commissioner C. Moore (GA) inquired if in these instances the violation or absconding has been addressed by the court, why the compact rules should prevent the individual from returning home.
 - DCA J. Lohman (VA) requested an informal poll be conducted as to whether there is South Region Commissioner support for this proposal over Minnesota's proposal that simply provides reporting instructions to anyone sentenced to immediate supervision.
 - Commissioner T. Langer (AL) suggested the Region be provided with a side-by-side comparison of the practical impacts of the exclusions suggested by the South Region DCAs and the proposal from Minnesota. Chair S. Turner requested assistance from the national office and other committees as deemed necessary to draft a visual based on real scenarios for the South Region's next meeting.
- Rule 2.106: Re-write of rule clarifying what deferred sentences are compact eligible based on several published advisory opinions. DCA T. Strickland (FL) noted Advisory Opinions issued by legal counsel and the Executive Committee are not binding and that this clarification for what deferred cases are compact eligible should be codified in the rules.
 - National office staff M. Spring noted the other eligibility exclusions in this rule, specifically 'pre-trial release programs' and in rule 2.107 are commonly subject to varying interpretations, unnecessary denials and confusion amongst member states. She suggested the region consider whether amendments could better clarify these exclusions for eligibility.

State Updates:

- Georgia: Commissioner C. Moore (GA) provided information on Georgia's statute for probation cases moving to 'unsupervised' status after 2 years.
- Alabama: Commissioner T. Langer (AL) noted field staff have participated in the OnDemand trainings offered on the ICAOS website and that DCA L. Ishman and B. Gilder are addressing training issues for obtaining nationwide warrants for compact cases.
- Louisiana: Commissioner R. Covington (LA) noted Louisiana has both a new Commissioner and DCA appointed.
- Oklahoma: Commissioner D. Romine (OK) noted she has recently been appointed Commissioner and found the discussion and training at the ABM enlightening to the fact their state needs work around PC hearings. She also indicated Oklahoma's compact office issues their own warrants for retaking and is streamlining retaking processes with their stakeholders.
- Missouri: Commissioner J. Mosley (MO) noted Missouri probation has work to do with PC hearings. He acknowledged the ISC staff and their accomplishments. Missouri has some structural and internal procedures that have not fully bounced back from COVID they are currently working through, particularly on the institution side.

- Mississippi: Designee T. Thomas (MS) indicated she is learning in her new DCA role after Richie Spears retired and working on internal enforcement measures related to ISC.
- South Carolina: DCA T. Davis (SC) states their compact office issues all compact warrants and handles extraditions. Their office is working on improving progress reports.
- Arkansas: Designee J. Cheek (AR) noted Arkansas has a new governor who is re-tooling the DOC with new programs for institutions and supervision. The state is also building a new 3,000 bed facility.
- West Virginia: Commissioner J. Huffman (WV) noted West Virginia will host a judges education conference in October providing an opportunity to train judges on the interstate compact. The interstate office is also working on template letters to address compact related requirements such as issuing nationwide warrants.
- District of Columbia: Designee E. Powell (DC) noted Director Tinscher was unable to attend the ABM. She noted GPS will no longer be available as a condition of supervision in District of Columbia without a court order.
- North Carolina: Commissioner M. Brewer (NC) updated the region on the recent tragedy in which 2 officers were murdered while serving a warrant. She also noted North Carolina is reviewing voting laws for felons and thanked Virginia's compact office for assisting with a notable compact case.
- Tennessee: Commissioner C. Hill (TN) announced their compact staff has increased from 2 staff to 4 and praised DCA T. Waylon (not in attendance) for her work. He noted the compact office has implemented new timeframes for field staff to ensure compliance with timeframes in the compact rules.
- Florida: Commissioner J. Winkler (FL) noted their compact office and state council are running smoothly. He noted with a newly introduced application fee, they are looking to reallocate those funds as what is being collected exceeds costs for retaking.
- Virginia: Commissioner J. Parks (VA) noted compact operations are running smoothly with all compact staff working remotely, some working from other states.
- Texas: DCA C. Stout (TX) indicated compact staff are working on new procedures for responding to violation reports requiring retaking. She also noted Texas recently appointed a new commissioner. Prior to his retirement, Commissioner Gutierrez and Ms. Stout provided training at the annual sheriff's conference in Texas and 99% of attendees had not heard of Interstate Compact before the trainings.

Old/New Business

Officer Nominations:

Motion to nominate Commissioner M. Pevey (WA) as chair of the Commission made by Commissioner M. Brewer, seconded by Commissioner T. Langer. Motion unanimously approved.

Motion to nominate Commissioner G. Roberge (CT) as Treasurer of the Commission made by Commissioner T. Langer, seconded by Commissioner M. Brewer. Motion unanimously approved.

Adjourn

The meeting adjourned at 3:35 pm MST.