



Interstate Commission for Adult Offender Supervision

Rules Committee Meeting MINUTES

November 6, 2024 - 2:00 pm ET

Teleconference

Members in Attendance:

1. Tracy Hudrlik (MN), Chair
2. Chris Moore (GA)
3. Amy Vorachek (ND)
4. David Cady (NH)
5. John Mosley (MO)
6. Deon McDaniel (NV)
7. Jeremy Vukich (WY)
8. Brenna Kojis (WI), Ex-Officio
9. Matthew Reed (PA), Ex-officio
10. Tom Travis, Legal Counsel

Members not in Attendance:

1. Katrina Ransom (OH)

Staff:

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

Call to Order

Chair T. Hudrlik (MN) called the meeting to order at 2:00 pm ET. Executive Director A. Lippert called the roll. Seven voting members were present, a quorum was established.

Approval of Agenda and Minutes

Commissioner J. Vukich (WY) moved to approve the agenda as presented. Commissioner D. McDaniel (NV) seconded. Agenda approved.

Commissioner D. McDaniel (NV) moved to approve the minutes from the July 9, 2024, meeting as drafted. Commissioner C. Moore (GA) seconded. Minutes approved.

Discussion

Chair T. Hudrlik (MN) welcomed the committee members. She presented the committee's mission - *Administer the Commission's rule making procedures and objectively review or develop rule change proposals as appropriate.*

Rule Conflict: Chair T. Hudrlik (MN) advised the committee of a conflict in the rules from the recently passed language change. The Compact statute defines *compact administrator* as “the individual in each compacting state appointed pursuant to the terms of this compact responsible for the administration and management of the state’s supervision and transfer of offenders subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this compact.” At the last Annual Business Meeting (ABM), the Commission changed this definition in the rules replacing the term *offender* with *supervised individual*.

Executive Director A. Lippert clarified that since the term *compact administrator* is defined by Statute, it cannot be changed in ICAOS Rules unless the Statute is also changed.

The committee discussed two options for resolving this issue: one where the definition is referred back to the statute, and another where the definition is listed in the rules. The committee decided to proceed with the second option.

Rule 1.101_ Definition of ‘Compact Administrator:

Compact Administrator - As defined by Article II of the Interstate Compact for Adult Offender Supervision means the individual in each compacting state appointed pursuant to ~~under~~ the terms of this compact ~~and~~ responsible for the administration and management of the state's supervision and transfer of offenders ~~supervised individuals~~ subject to the terms of this compact, the rules adopted by the Interstate Commission ~~for Adult Offender Supervision~~, and policies adopted by the State Council under this compact.

Justification

The 2024 rule changes approved by the Commission introduced a definition for "Compact Administrator" in the context of supervised individuals. However, upon further review, it was identified that the term "Compact Administrator" is also defined by the statute governing the Interstate Compact, and as such, cannot be altered through administrative rules. This oversight created an inconsistency between the rule's definition and the statutory language.

To resolve this inconsistency and ensure compliance with the statutory framework, this amendment aligns the rule's definition of "Compact Administrator" with the language in the statute.

Commissioner A. Vorachek (ND) moved to recommend an amendment to Rule 1.101 definition of Compact Administrator for the full Commission’s consideration and vote at the 2025 Annual Business Meeting. Commissioner J. Vukich (WY) seconded. Motion passed.

Rule Feedback Proposal & Rules Proposal Guide: Executive Director A. Lippert outlined a new streamlined process for gathering feedback on rule proposals. This process is designed to facilitate discussions and decision-making by using polling questions via zoom. The Midwest region recently implemented this approach and received positive feedback.

The committee discussed using in-meeting polling for feedback and the possibility of scoring proposals during the comment period.

Executive Director A. Lippert presented an updated the Rule Proposal Guide that was amended to include a problem statement, a description of how the new language will improve a process(es), and a compliance impact. The committee agreed with the changes.

Commissioner J. Mosley (MO) moved to adopt the revised Rule Proposal Guide, and the proposal to collect rules feedback as presented. Commissioner C. Moore (GA) seconded. Motion passed.

Rules Committee Calendar: The committee reviewed the FY24-25 committee calendar.

Chair T. Hudrlik (MN) proposed to increase the frequency of the Rules Committee meetings to monthly after the first of the year. The committee decided to have a face-to-face meeting in March to vet the rule proposals. The proposals will be posted for public comment on April 1, 2025. This would give states enough time to review and comment on the proposed rules.

Chair T. Hudrlik (MN) noted the importance of beginning work on the proposals prior to the ABM, focusing on scenario-driven presentations to help the Commission understand the impact of all rule proposals.

Commissioner J. Vukich (WY) moved to adopt the Rules Committee calendar as presented. Commissioner D. McDaniel (NV) seconded. Motion passed.

Old/New Business

There was no old/new business.

Adjourn

Commissioner J. Vukich (WY) moved to adjourn. Commissioner D. McDaniel (NV) seconded.

The meeting adjourned at 2:59 pm ET.