



Interstate Commission for Adult Offender Supervision

Ensuring Public Safety for the 21st Century

2015 ICAOS Annual Business Meeting

Docket Book

October 5-7, 2015





INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

2015 ANNUAL BUSINESS MEETING DOCKET BOOK

- Agenda
- Annual Business Meeting Minutes from August 27, 2014
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INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

2015 ANNUAL BUSINESS MEETING AGENDA

Hilton Portland & Executive Tower
921 SW Sixth Ave, Portland, OR 97204

October 5 – 7, 2015

Monday, October 5

1:30 pm – 3:30 pm

Executive Committee Meeting

4:00 pm – 5:00 pm

Public Hearing

- *Presenters: Sara Andrews (OH), Chairwoman; Jane Seigel (IN), Rules Committee Chair; Rick Masters, General Counsel*

Tuesday, October 6

8:30 am – 9:45 am

East Region Meeting

South Region Meeting

Midwest Region Meeting

West Region Meeting

9:45 am – 10:00 am

Break

10:00 am – Noon

What Works in Reducing Recidivism and the Importance of Using and Applying Risk Assessment

- *Introduction: Sara Andrews (OH), Chairwoman*
- *Presenter: Edward J. Latessa, Ph.D.*

Noon – 1:15 pm

New Commissioner Lunch

1:15 pm – 2:15 pm **What Works in Reducing Recidivism and the Importance of Using and Applying Risk Assessment (cont.)**

2:15 pm – 2:30 pm *Break*

2:30 pm – 4:00 pm **Rule Proposals Discussion**

- *Moderator: Jane Seigel (OH), Rules Committee Chair*
- *Presenters: Sara Andrews (OH), Chairwoman; Rick Masters, General Counsel; and Rules Committee Members*

4:00 pm – 6:00 pm **Reception/Recognition Session**

- *Moderator: Michelle Buscher (IL), Commissioner; Jenna James (GA), Deputy Compact Administrator; Mathew Billinger (KS), Deputy Compact Administrator; Margaret Thompson (PA), Deputy Compact Administrator*

Wednesday, October 7

General Session

8:30 am – 8:45 am **Call to Order
Flag Presentation
Roll Call**

8:45 am – 9:30 am **Welcome & Overview**

- *Sara Andrews (OH), Chairwoman*
- *Jeremiah Stromberg (OR), Commissioner*
- *Colette S. Peters (OR), Director of Department of Corrections, Speaker*

Approval of Agenda

Approval of Minutes

- *August 27, 2014*

9:30 am – 10:30 am **Committee Reports**

- **Information & Technology Committee**
 - *Gary Roberge (CT), Chair*
- **Training, Education & Public Relations Committee**
 - *Anne Precythe (NC), Chair*
- **Justice Reinvestment Workgroup**
 - *Anne Precythe (NC), Chair*
- **DCA Liaison Committee**

- *Geri Miller-Fox (UT), Chair*
 - **Compliance Committee**
 - *Jeremiah Stromberg (OR), Chair*
 - **Finance Committee**
 - *Charles Lauterbach (IA), Chair*
 - *FY 2017 Budget*
 - **ABM Workgroup**
 - *Chris Norman (AL), Vice Chair*
 - **Victims' Advocate**
 - *Pat Tuthill, Victims' Advocate*
 - **Legal Counsel**
 - *Rick Masters, General Counsel*
- 10:30 am – 10:45 am* *Break*
- 10:45 am – 12:00 pm** **Committee Reports (cont.)**
- **Rules Committee**
 - *Jane Seigel (IN), Chair*
 - *New Rule Proposals*
- 12:00 pm – 1:30 pm* *Lunch [on your own]*
- 1:30 pm – 3:15 pm** **Panel Discussion - The “Two Second” Rejection, Myth or Truth**
 - *Moderator: Jeremiah Stromberg (OR), Commissioner*
 - *Panelists: Chris Moore (GA), Commissioner; Anne Precythe (NC), Commissioner; Sara Andrews (OH), Commissioner; and Dale Crook (VT), Commissioner*
- 3:15 pm – 3:30 pm* *Break*
- 3:30 pm – 3:45 pm** **Awards Presentation**
- 3:45 pm – 4:15 pm** **New Business/Old Business**
- **Region Chairs Oath of Office**
- 4:15 pm – 4:30 pm** **Call to the Public**
- Adjourn**
- 5:00 pm – 6:00 pm** **Executive Committee Meeting**



INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION ANNUAL BUSINESS MEETING MINUTES

August 27, 2014
COX Convention Center,
Oklahoma City, OK

Call to Order

The meeting was called to order by Chairman M. Gilliam (OK) at 8:06 a.m. EDT. Oklahoma Color Guard presented the flags.

Chairman M. Gilliam (OK) welcomed everyone to the 2014 Annual Business Meeting in Oklahoma City, OK.

Roll Call

Roll was called by Executive Director H. Hageman. Forty-nine out of fifty-three members were present, thereby constituting a quorum.

1. Alabama	Christopher Norman, Commissioner
2. Alaska	<i>Not in attendance</i>
3. Arizona	Dori Ege, Commissioner
4. Arkansas	Sheila Sharp, Commissioner
5. California	Daniel Stone, Commissioner
6. Colorado	Walt Pesterfield, Commissioner
7. Connecticut	Gary Roberge, Commissioner
8. Delaware	Karl Hines, Commissioner
9. District of Columbia	Nancy Ware, Commissioner
10. Florida	Jenny Nimer, Commissioner
11. Georgia	Chris Moore, Commissioner
12. Hawaii	Sidney Nakamoto, Commissioner
13. Idaho	Denton Darrington, Commissioner
14. Illinois	Michelle Buscher, Commissioner
15. Indiana	Jane Seigel, Commissioner

16. Iowa	Charles Lauterbach, Commissioner
17. Kansas	Kathleen Graves, Commissioner
18. Kentucky	Roberto Rodriguez, Commissioner
19. Louisiana	Genie Powers, Commissioner
20. Maine	Scott McCaffery, Commissioner
21. Massachusetts	<i>Not in attendance</i>
22. Maryland	Patricia Vale, Commissioner
23. Michigan	John Rubitschun, Commissioner
24. Minnesota	Jill Carlson, Commissioner
25. Mississippi	Jerry Williams, Designee
26. Missouri	Ellis McSwain, Commissioner
27. Montana	Pamela Bunke, Commissioner
28. Nebraska	Cathy Gibson-Beltz, Commissioner
29. Nevada	Kimberly Madris, Commissioner
30. New Hampshire	Mike McAlister, Commissioner
31. New Jersey	James Plousis, Commissioner
32. New Mexico	Edward Gonzales, Commissioner
33. New York	Robert Maccarone, Commissioner
34. North Carolina	Ann Precythe, Commissioner
35. North Dakota	Charles Placek, Commissioner
36. Ohio	Sara Andrews, Commissioner
37. Oklahoma	Milton Gilliam, Commissioner
38. Oregon	Jeremiah Stromberg, Commissioner
39. Pennsylvania	Michael Potteiger, Commissioner
40. Puerto Rico	<i>Not in attendance</i>
41. Rhode Island	Laura Queenan, Designee
42. South Carolina	Kela Thomas, Commissioner
43. South Dakota	Ed Ligtenberg, Commissioner
44. Tennessee	Bobby Straughter, Commissioner
45. Texas	Stuart Jenkins, Designee
46. Utah	Geri Miller-Fox, Commissioner
47. Vermont	Dale Crook, Commissioner
48. Virginia	James Parks, Commissioner
49. Virgin Islands	<i>Not in attendance</i>
50. Washington	Anmarie Aylward, Commissioner
51. West Virginia	Karen Nichols, Commissioner
52. Wisconsin	Tracy Hudrlik, Commissioner
53. Wyoming	Dawn Sides, Commissioner

Executive Director H. Hageman recognized Ex-Officio members:

- National Governor Association - *Not in attendance*
- National Conference Of State Legislatures - Craig Tieszen
- National Organization of State Chief Justices - *Not in attendance*
- National Association of Attorneys General – Sandy Rinehart
- National Organization of Crime Victims - *Not in attendance*

- National Institute of Corrections - *Not in attendance*
- American Probation and Parole Association – Carl Wicklund
- Association of Paroling Authorities International - *Not in attendance*
- Interstate Commission for Juveniles – Ashley Lippert
- Conference Of State Court Administrators - Sally Holewa

Welcome & Overview

Chairman M. Gilliam (OK) welcomed the Commission to Oklahoma City, OK. He introduced Emily Redman, District Attorney from District 19, Oklahoma, who gave the keynote speech.

Chairman M. Gilliam (OK) instructed the Commission on the rules and procedures of the meeting.

Approval of Agenda

Commissioner A. Precythe (NC) moved to approve the agenda as drafted. Commissioner E. Ligtenberg (SD) seconded.

Agenda approved as drafted.

Approval of Minutes

Commissioner G. Roberge (CT) moved to approve the minutes as drafted. Commissioner S. Andrews (OH) seconded.

Minutes approved as drafted.

Chairman M. Gilliam (OK) informed the Commission that the Roberts Rules of Order will be suspended during the committee reports for discussion purposes.

Commissioner S. Andrews (OH) moved to suspend the Roberts Rules of Order. Commissioner C. Moore (GA) seconded.

Motion passed.

Rules Committee Report

Commissioner J. Seigel (IN), Rules Committee Chair, thanked the Rules Committee members and the national office staff for their hard work.

Commissioner J. Seigel (IN) initiated discussion on emerging issues that need to be addressed by the Rules Committee in the upcoming year.

The Commission discussed the misdemeanor rule and its application.

Commissioner A. Precythe (NC) stated that many of North Carolina's high risk offenders are misdemeanor offenders. She spoke against making changes to the current rule.

Commissioner R. Maccarone (NY) spoke against making any changes to the current rule stating that many NY misdemeanor offenders are in the greatest risk category. NY implemented a new supervision rule effective June 2014.

Commissioner S. Nakamoto (HI) stated that Hawaii struggles with the implementation of the rule mostly due to the costly extraditions. The rule must be revisited as it cannot be implemented 100%.

Commissioner M. Potteiger (PA) suggested revisiting the rule, but keeping it intact.

Commissioner D. Ege (AZ) spoke for revising the rule because it is a public safety and liability issue.

The Commission discussed risk assessment tools.

Commissioner S. Andrews (OH) offered to share Ohio's misdemeanor screening tool developed by the University of Cincinnati.

The Commission discussed what triggers the Compact, tracking the return of offenders in the receiving state, and retaking rules.

Information Technology Report

Commissioner A. Precythe (NC), Technology Committee Chair, thanked the national office staff and the Technology Committee members for their service to the Committee: Chris Norman (AL), Patricia Vale (MD), Jill Carlson (MN), Sheila Sharp (AR), and Karen Nichols (WV). Ex officio members during the year have included Matt Billinger (KS), Julie Lohman (VA), and John Gusz (NJ).

Fusion Center Data Exchange Project: The American Probation and Parole Association (APPA), SEARCH and the state fusion centers of New York continue to run weekly exports of successful compact transfers. SEARCH is looking at additional enhancements to the project that could make the data notifications more useful to other fusion centers.

FBI NDex Data Sharing: The national office began speaking with NDex about possibly sharing ICOTS data earlier this year. After reviewing the data we receive from Appriss on a weekly basis, NDex began work on an application to transmit data from our database server to their server. The national office ran several test runs of the application to flesh out bugs. NDex is working on the latest version of the application that addresses a number of issues they encountered.

ICOTS Rule Amendment Release: The ICOTS rule amendment release launched February 26, 2014 for the rule amendments taking effect on March 1, 2014. The new release addressed five rule amendments with additional ICOTS functionality.

ICOTS Maintenance/Bug Fix Release: The contract with Appriss requires one annual ICOTS release to address outstanding bugs in the application. As of the publishing of this report, Appriss's next scheduled maintenance release is for August 2014. The release will address 15 outstanding ICOTS issues and should be in production prior to the 2015 Annual Business Meeting.

ICOTS Helpdesk Support: The ICOTS helpdesk received over 2,600 ICOTS support tickets during the 2014 fiscal year. This is an increase of more than 18% from the 2013 fiscal year.

External Reports: Usage of the external reports rose from over 12,400 page views in FY2013 to over 13,900 page views in FY2014, an increase of 12%. The national office added 4 reports to the list of external reports to cover compliance standards for requested progress reports and case closure responses.

Compliance Dashboards: The compliance dashboards launched on January 31, 2014. The dashboards provide an easy to understand visual representation of compliance data for states. Users can also compare state performance to the national average for the same period. Since launch, the dashboards received more than 1,000 visitors.

The Commission had a discussion on sharing individual state's dashboard information with other states.

General Counsel R. Masters stated that at this point the national office maintains the confidentiality of states records. He warned the Commission that the public may interpret the records incorrectly.

Connecticut spoke against seeing other states compliance numbers.

New York stated that compliance records and audits are public information and shows the Commission's transparency.

Commissioner K. Thomas (SC) stated that states can use the data from other states as leverage in personnel reports and budget issues.

Commissioner J. Stromberg (OR) agrees with New York to have the information opened to the public. He believes it also benefits state and its advancement to look at other similar states.

Washington, Georgia, Colorado, and California spoke for sharing the records.

National Office Server Upgrades: The national office migrated website and report hosting to Amazon Web Services to provide faster performance, increased security and the ability to scale up resources quickly and easily. The move saved a small amount in monthly hosting costs, and is poised to save 30-40% in yearly costs with annual commitments.

ICOTS VINEWatch: The ICOTS Vinewatch system launched this year. The interface is separate from Appriss's other victim notification system. Users need their own login for ICOTS VINEWatch, regardless of whether they already have access to the national VINEWatch system. Registered victims can receive notifications of most compact activities within ICOTS.

The national office attended a meeting in May 2014 of VINEWatch board of advisors to educate them on how ICOTS VINEWatch works and how victims' advocates in their respective states can use it.

ICAOS Website: Visits to the website were up over 14% from the previous fiscal year, with over 454,000 visits. Desktop user visits dropped less than 1% with over 364,000 visits, mobile users were up 245% with over 76,000 visits, and tablet users were up 116% with over 13,000 visits.

The following are goals and challenges the Commission will face in the 2015 fiscal year.

ICOTS Enhancement Release: The Technology Committee reviewed the list of approved enhancement requests dating back to 2009 and prioritized them. The committee and the national office created a list of the 14 highest priority enhancements. From this list, a workgroup met several times to outline the functional specifications of each enhancement. Appriss received the final specifications in May for price quotes and statements of work. Once the commission approves funds, Appriss will begin development on the approved enhancements. The national office will work with Appriss during the development phase to ensure compliance with all functional requirements. Development will take several months, with the release scheduled for summer 2015.

Continue to Reduce and Prioritize Approved ICOTS Enhancements: Though 14 approved enhancements could be addressed in the 2015 release, there are still more than 50 approved enhancement requests dating back to 2009. The Technology Committee will need to continue work on prioritizing the remaining list and removing any enhancements that are no longer necessary or are already addressed.

Expanding Compliance Dashboards: The platform behind the compliance dashboards is very flexible and can integrate data from many sources. To take full advantage of the dashboard capability, the Technology Committee and national office will need to explore options to provide the commission with the most useful data analysis tools. Additionally, the Technology Committee will need direction from the Commission on allowing access to the dashboards.

Commissioner R. Maccarone (NY) expressed his concerns over confidentiality with the fusion center data sharing especially at the juvenile level. He asked the Commission to rethink and reexamine the data sharing at this level.

Executive Director H. Hageman informed the Commission that it is up to each state to decide to be a part of the fusion center.

Commissioner K. Thomas (SC) stated that recently South Carolina had a severe security breach and inquired about the ICAOS security precautions.

Executive Director H. Hageman informed the Commission about the security levels implemented by the national office.

Training, Education & Public Relations Committee Report

Commissioner D. Ege (AZ), Training Committee Chair, expressed her gratitude towards the Committees members Shawn Arruti (NV), Devon Whitefield (CO), Edward Gonzales (NM), Rose Ann Bisch (MN), Kari Rumbaugh (NE), Margaret Thompson (PA), Karen Tucker (FL), and Kathleen Graves (KS). She also thanked the national office staff for their work throughout the year.

The Commission viewed MSNBC Documentary *Lockup: Holman - Extended Stay* with Pat Tuthill, ICAOS Victims' Advocate (2007).

The Commission discussed the availability of this video for training and information purposes.

In the past year, the Committee worked on the following:

- Thirty field rule training sessions via Web Ex: 1,300 + attendees
- Three compact office training sessions via Web Ex conducted on Rule amendments effective March 1, 2014: 49 states attended (state level compact office staff)
- Three compact office training sessions via Web Ex regarding ICOTS impact for Rule amendments and addendum usage for violation reports
- BenchBook and Training Materials updated
- Five Web Ex sessions offered for states interested in using ICOTS VINEWATCH
- 1,500 + participated in OnDemand Rules training sessions
- Published Training Bulletin 1-2014 regarding Rule 3.107 (a)(12)
- Presentation on the new ICAOS Compliance Dashboard reports offered in March 2014
- Iowa (on-site), Kansas (on-site), Pennsylvania, and California received training assistance through the Technical and Training Assistance Policy
- ICAOS workshop at APAI 2014 Annual Training Conference facilitated by Shawn Arruti in May 2014
- Prosecutor Conference Workshop in Kansas facilitated by General Counsel Rick Masters in September 2013

- Judicial Conference Workshop in New Jersey facilitated by General Counsel Rick Masters & Training Committee Chair Dori Ege in May 2014
- Judicial Conference Workshop in Kansas facilitated by General Counsel Rick Masters in June 2014
- Conducted several joint meetings with the Deputy Compact Administrator Liaison Committee to create, plan, develop, and deliver curriculum at the 2014 Annual Business Meeting

Ex-Officio K. Wicklund (APPA) offered to share his staff's experience with the distance learning tools.

DCA Liaison Committee Report

The DCA Liaison Committee continues its work to ensure Deputy Compact Administrators (DCAs) have an active voice in the affairs of the Compact.

Commissioner Chris Moore, Chair, GA, thanked the DCA Liaison Committee members for their work: Commissioner Charles Placek, Vice Chair (ND), DCA Karen Tucker (FL), DCA Kari Rumbaugh (NE), DCA Margaret Thompson (PA), Commissioner Kela Thomas (SC), DCA Regina Grimes (TX), and DCA Jim Ingle (UT).

The DCA Liaison committee has met four times since the last ABM. Three of those meetings were joint meetings with the Training Committee to work on and finalize the DCA Training Institute agenda that is part of this year's ABM.

Each region now has a DCA Liaison Committee Regional Chair and each region has met at least once since the last ABM. The Regional Chair also serves as the DCA Mentor for the region. The Regional Chairs are: East – DCA Margaret Thompson; Midwest – DCA Kari Rumbaugh; South – DCA Regina Grimes; and West – DCA Jim Ingle.

DCA Mentoring Program: The mission of the program is to coach, train, and counsel new Deputy Compact Administrators (DCA) on the operations of a compact office and to provide guidance to a DCA who needs assistance to resolve difficult compliance issues in their state. To encourage active participation in Commission and Regional activities and to work with the member state to promote successful strategies and best practices.

Participant is either a newly appointed DCA or has been identified by their Commissioner or the Commission as needing assistance to resolve compliance issues in their state.

Mentor is a current DCA who is either a current DCA Liaison Committee Regional Chair or a DCA that has demonstrated an understanding of the Compact and is recognized for their communication skills. Mentor is required to report back to the DCA Liaison Committee.

Mentoring assignment is generally for one year but may be extended upon request and approval. Mentoring focuses on coaching, training and counseling of the participant DCA.

Compliance Committee Report

Commissioner M. McAlister (NH), Compliance Committee Chair, thanked the Committee members for their work: Chris Norman, Vice Chair (AL), Karl Hines (DE), Jane Seigel (IN), Genie Powers (LA), John Rubitschun (MI), Gary Roberge (CT), Pam Bunke (MT), Catherine Gibson-Beltz (NE), Ashbel Wall (RI), Pat Tuthill, Ex-officio, Sally Holewa, Ex-officio, and Victoria Jakes, Ex-officio.

The Compliance Committee is responsible for monitoring compliance of member states with the terms of the Compact and the Commission's rules, and for developing appropriate enforcement procedures for the Commission's consideration.

Commissioner M. McAlister (NH) reported that the Executive Director resolved all complaints and compliance issues in accordance with the Guidelines for Resolving Compliance Issues Policy (03-2007). There were no issues referred to the Committee this year. The Committee did review an update in January 2014 about Kansas and California matters.

In the coming year, the Committee will evaluate the national office compliance audit outcome, and any matters referred by the Executive Committee.

FY2014 Compliance Audit Results: The purpose of the FY 2014 Compliance Audit was to determine if the states that failed the FY2013 compliance audit addressed the findings from the previous audit. Fifteen states failed to pass the requirement of six or more standard in FY2013. Standards assessed in most states in FY2014 were submission of annual progress reports (Rule 4.106), submission of case closure notices (Rule 4.112), and responding to violation reports (4.109).

Nearly half (7) of the states subject to audit in FY2014 were also required to submit and successfully complete a corrective action plan due to continuous failure of certain audit standards. To date, three (3) of those states have successfully completed a corrective action plan and are deemed in compliance per ICAOS compliance audit processes. Nationally averages for all standards improved.

<u>Standard</u>	<u>2013 National Compliance Average</u>	<u>Current National Compliance Average</u>
3.101-1, 3.103 & 3.106-RFRI Reply	95.6%	96%
3.104-Transfer Reply	85.6%	87.9%
4.102 & 4.112-Closure Notice	88.9%	89%
4.105 (a)*	90.5% (passing rate)	94.3% (passing rate)
4.105 (b)*	68% (passing rate)	81.1% (passing rate)
4.106 Annual Progress Report	76.8%	78.2%
4.109 Violation Response	78.4%	81.5%
Misc 101-Duplicate Offender*	88.7% (passing rate)	94.3% (passing rate)
Misc 102-User Agreement*	96.2% (passing rate)	100% (passing rate)

**Compliance measured on a threshold basis, not percentage*

For FY2015, all states are subject to audit expanding the audit standards to a total of thirteen (including three new standards). During this audit period, states that fail four or more standards (including three or more rule standards) will be required to provide and successfully complete a corrective action plan addressing the failed standards.

Finance Committee Report

Commissioner C. Lauterbach (IA), Finance Committee Chair and Treasurer, presented the Finance Committee report to the Commission.

Commissioner C. Lauterbach (IA) stated that the Commission continues to maintain a strong financial base for its operations. . The national office staff continues to work diligently to keep the commission expenditures within its budget constraints.

The Commission has finished its fiscal year at 0.14% below budget. When the original budget passed, it did not include additional over \$100,000 ICOTS expenses.

Going forward, the Commission needs to determine whether and how much to continue to invest into the Council of State Governments long term investment portfolio.

Commissioner C. Lauterbach (IA) stated that there are no dues increases in the presented FY2016 budget.

Commissioner C. Lauterbach (IA) moved to accept the proposed FY 2016 budget. Commissioner S. Andrews (OH) seconded.

Motion passed unanimously.

Commissioner C. Lauterbach (IA) thanked the Finance Committee members and the national office for their service.

Ad hoc Committee on Borders Issues Report

Commissioner S. Andrews (OH), the Ad hoc committee chair, presented her report to the Commission.

Commissioner S. Andrews (OH) thanked the ad hoc committee members: Commissioner Chris Norman (AL), Commissioner Gary Roberge (CT), Commissioner Nancy Ware (DC), Kathleen Graves (KS), Ed Gonzalez (NM), Commissioner Michael Potteiger (PA), Commissioner Steve Robinson (TX), DCA Roger Wilson (OH), DCA Jay Lynn (NC), and DCA Regina Grimes (TX).

Chairman Gilliam (OK) created the ad hoc committee at the request of Commissioner Winckler (TX), who has since left the Commission. In Commissioner Winkler's proposal, she asserts that the Commission's rules do not take into account offenders who may cross state borders every day to work, and who may spend the majority of their waking hours in a jurisdiction where they are not supervised.

Commissioner S. Andrews (OH) stated that the problems associated with supervising offenders in borders jurisdictions are not new to the Commission. In 2007, Commissioner Rankin (WI) chaired a committee struggling with a similar issue – ad hoc committee on Treatment in Other Jurisdictions. While Commissioner Rankin's committee focused its attention on problems associated with “out of state treatment”, it did discuss issues unique to “border” jurisdictions. Not unlike this committee, in the end Commissioner Rankin's committee recommended against amending the rules to provide a waiver or modification to the transfer process.

The ad hoc committee on border issues met twice: once in person and once by WebEx. The in-person meeting took place on January 22, 2014 in Columbus, Ohio. The committee members discussed the issues at length and determined the need for more information from border jurisdictions.

In late January 2014, the committee working with the national office published a survey to the Commissioners and Deputy Compact Administrators in all 53 member states and territories. Those wishing to respond to the survey had eight weeks to reply.

While slightly more than 40 individuals responded to the survey, they represented 37 member states and territories. According to the survey, the number of problematic border cases is less than 20 per year.

On April 22, 2014, the Committee met specifically to discuss the results of the survey and to formulate recommendations for the Commissions consideration. The Committee offers the following recommendations for the Commission's consideration:

Recommendation

1. The Committee recommends against amending the rules to provide a waiver to the transfer process.
2. Rule 3.102(c) provides an accommodation for offenders employed in the receiving state, however because of the language in Rule 3.101-3(c) it is not clear whether or not the employment accommodation applies to sex offenders. The Committee recommends that the Rules Committee further clarify the language.
3. Rule 3.102(c): The Committee recommends considering expanding the employment exception to include medical appointments, job interviews, housing search, and other necessities.
4. Dual supervision cases: in some cases, one of the requests for reporting instructions is approved and the other one is denied. The Committee recommends that the Commission consider a change to the rules that would eliminate the potential for conflicting results, when requesting reporting instructions for dual supervision cases.
5. Although there are a few exceptions, generally the rules do not permit an offender to be in the receiving state until reporting instructions are issued. The Committee recommends that the Commission consider changes to the rules that would allow the sending state to issue travel permits to offenders to allow them to be in the receiving state for limited time, i.e. a job or housing search, medical appointments and treatment, schooling, family emergencies, etc.
6. The Committee recommends that all compact offices establish the practice of paying closer attention to rejected request for reporting instructions involving offenders in border jurisdictions. Survey respondents expressed a concern that requests for reporting instructions are often refused for flimsy reasons that are not in the spirit of the compact.
7. Respondents to the survey believe that many of the issues involving border jurisdictions are the result of lack of training and communication. The Committee recommends that the Commission use a portion of its technical assistance fund to seed the development of *model* or *best practice programs* that promotes multi-jurisdictional training and communication programs.

8. The Committee recommends publicizing existing programs that promote multi-jurisdictional training and communication programs.
9. The Committee recommends that the Commission develop training programs specific to the needs of border jurisdictions.

Chairman M. Gilliam (OK) accepted Ad hoc Committee on Borders Issues report.

ABM Planning Workgroup Report

Commissioner S. Andrews (OH) informed the Commission that this year's Annual Business Meeting was combined effort of 20 commissioners and DCAs along with the Training and DCA Liaison Committees.

Chairman M. Gilliam (OK) accepted ABM Planning Workgroup report.

Victims' Advocate Report

Victims' Advocate P. Tuthill (NOCV) presented her report via a video recording.

Victims' Advocate P. Tuthill (NOCV) thanked the Commission for their support towards the ICOTS victims' notification project. As of June 2014, the system has 22 states with active accounts, 8 states with registered victims and 57 registrations.

Victims' Advocate P. Tuthill (NOCV) is in the process of reviewing victim notification rules and revisiting rules presented last year that did not pass: Rule 3.108 (b)(1)(C), Rule 3.103, Rule 3.106, Rule 5.103, Rules 3.108 and 3.108-1.

Victims' Advocate P. Tuthill (NOCV) was honored by Bureau of Justice for contributions to public policy - 2014 Ronald Reagan Public Policy Award.

Chairman M. Gilliam (OK) accepted the Victims' Advocate's Report.

Commissioner D. Ege (AZ) moved to adopt all standing committee reports. Commissioner J. Seigel (IN) seconded.

Motion passed.

General Counsel Report

General Counsel R. Masters presented his report to the Commission.

General Counsel assists the commission by providing legal guidance to the Interstate Commission and its committees with respect to legal issues which arise in the conduct of their responsibilities under the terms of the Compact, its Bylaws and administrative rules. The provisions of the Compact specifically authorize formal legal opinions concerning

the meaning or interpretation of the actions of the Interstate Commission that are issued through the Executive Director's Office in consultation with General Counsel. These advisory opinions are made available to state officials who administer the compact for guidance. General Counsel also works with the Commission and its member states to promote consistent application of and compliance with its requirements including the coordination and active participation in litigation concerning its enforcement and rule-making responsibilities.

Since the last annual report, in addition to day to day advice and counsel furnished to the Commission's Executive Director, the Executive Committee, the Rules Committee, the Compliance Committee, the Technology Committee and the Interstate Commission, General Counsel in conjunction with the Executive Director has issued one advisory opinion concerning the interpretation and application of various provisions of the compact and its administrative rules. The advisory opinions are public record and are available at the website of the Commission.

Judicial training concerning the Compact and its administrative rules has also been provided in a number of states including New Jersey and Kansas under the auspices of the General Counsel's office. Additional judicial training as well as joint training sessions with both prosecutors and defense counsel will be presented in Connecticut in September of this year. Other activities included assisting in the updates to the 'On-Demand' Judicial Training Modules now available on the ICAOS website, assisting in the update of the ICAOS Bench Book and review and update of Judicial training and New Commissioner training materials as well as Parole and Probation Officer legal and liability training modules used for both WebEx and live training sessions.

In addition, General Counsel assisted the Compliance Committee, the Executive Committee and Executive Committee Workgroup in several matters pertaining to investigation, compliance, and enforcement responsibilities under the Compact.

ICAOS V. State of California, U.S. Dist. Ct., Eastern Dist. of KY,
Case No. 5:13-cv-00175-KSF

This is an enforcement action filed by the Commission on June 10, 2013 with respect to the failure of the State of California to comply with various provisions of the Compact and its administrative rules requiring investigation and response to requests for transfers of supervised offenders to California from other compact member states as well as transmission of required information concerning compact offenders transferring to California from other compact member states and from California to other compact member states.

In addition, the Commission alleges that the State has failed and refused to implement and provide training concerning the electronic data and tracking system developed by the Commission and required to be used by the compact member states to record and exchange information pursuant to the Interstate Compact Offender Tracking System ("ICOTS"), and have further failed to select and train ICOTS users in each county in a

number sufficient to cover the number of interstate offender supervision transfers to and from California.

Additionally, the appointment of the California State Council for Interstate Adult Offender Supervision has not been verified as required under the Compact. The case is pending in U.S. District Court and the Commission has been engaged in detailed negotiations with California which has shown significant progress in compliance with most of the above referenced administrative rules as well as training of ICOTS users. The parties have exchanged settlement proposals and the Commission, through its Executive Committee, made a written counter-offer in early July.

General Counsel R. Masters advised to go into the executive session to review the latest proposal and discuss the matter.

The Commission entered the executive session.

Chairman M. Gilliam (OK) accepted General Counsel's report.

East Region Report

Commissioner M. Potteiger (PA) presented his report to the Commission. The Region met twice since the last Annual Business Meeting. The Region had lively discussion on the following topics: Rule 3.101-1 to assist veterans with treatment needs; ICOTS VINE Watch and the status of each state with regard to implementation; Federal Indian Reservations; receipt of final progress reports containing violation information not previously reported, and face-to-face region meetings.

Commissioner M. Potteiger (PA) expressed his appreciation for national office staff.

Midwest Region Report

Commissioner C. Gibson-Beltz (NE) presented her report to the Commission. The Midwest Region continued to be active in the Interstate Compact as indicated by the high number of Commissioners on the Executive Committee. Sara Andrews (OH) continues to serve as Vice Chair of the Executive Committee; Charles Lauterbach (IA) continues to be Treasurer, as well as chairs the Finance Committee; Jane Seigel (IN) continues in her role as chairperson of the Rules Committee, and Cathy Gibson-Beltz represents the Midwest Region on the Executive Committee. The Midwest Region also had representation on the ad hoc committee for Border State Issues, as well as Commissioners and Deputy Compact Administrators on a variety of other committees and work groups. This high level of participation in the Compact activities is appreciated and indicative of the importance the Midwest states place on an effective Interstate Compact.

The Midwest Region states met on August 27 and November 6, 2013, as well as February 26 and June 18 2014. The Midwest chairperson was unable to attend two of these

meetings due to last minute Nebraska Parole obligations and would like to publicly thank Sara Andrews for handling the logistics of these two meetings at the last minute.

Midwest meetings focused on the detainer rule and its exclusion of federal detainees in its applicability. The Midwest Region would like this rule to include offenders who complete their federal detainees in other states. They continue to work on this issue with the Rules Committee and Legal Counsel. Another issue discussed what is commonly referred to as the “Spirit of the Compact” and that the Compact’s primary purpose is public safety and that issue needs to be kept in mind in accepting or denying discretionary cases and expedited reporting instructions.

South Region Report

Commissioner C. Norman (AL) presented his report to the Commission. Subsequent to the 2013 Annual Business Meeting, the South Region met via WebEx on January 16, 2014 and April 16, 2014. Three new Commissioners have been appointed in the South Region: Ann Precythe (NC), Steve Robinson (TX), and Roberto Rodriguez (KY).

South Region is active and has multiple representative on the following committees: Executive Committee, Rules Committee, Compliance Committee, Finance, Technology Committee, Training Committee, and DCA Liaison Committee.

West Region Report

Commissioner A. Aylward (WA) presented her report to the Commission. The West Region met on November 19, 2013, February 18, 2014, and April 21, 2014. The Region discussed the following issues: Proposed Rule Amendments, Commissioner Changes, New Rules Training, Violation Reports, and Nationwide Warrants.

In follow up to last year’s business meeting, the West Region discussed concerns around the difficulty with obtaining nationwide warrants and although the rule proposal for Rule 2.105 failed at the annual business meeting, this continues to be a training issue for states.

The largest areas of discussion during the regional meetings were around incomplete violation reports.

Award Presentations

Executive Chair Award presented to Commissioner S. Andrews (OH) by Chairman M. Gilliam (OK).

Executive Director Award presented to DCA D. Duke (TN) by Executive Director H. Hageman.

Peyton Tuthill Award presented to Victims' Advocate C. Alexander-Pounds (OH) in recognition of her service and commitment to victims by Commissioner S. Andrews (OH) and Chairman M. Gilliam (OK).

Commissioner M. Buscher (IL), DCA M. Thompson (PA) and DCA K. Tucker (FL), the Spirit Sighting and Recognition Group, recognized individuals who preserve the *Spirit of the Compact* and expressed appreciation for their work: Matthew Reed (PA), Donna Lash (PA), Margaret Thompson (PA), Jay Lynn (NC), Chief Jeff Appling (NC), Lori Zuroweste (MO), Anthony Pennella (CA), Guillermo Rosa (CA), Michelle Buscher (IL) Tima Ellsmore (ME), Stacy Melanson (NY), Magistrate Matthew King (TX), Heather Fowler (OR), Jim Warren (OR), Leslie Lee (CO), Mary Scott (AR), and Brian Spence (MI).

The Spirit Sighting and Recognition Group presented twenty years of service award to the following individuals: Linda Mustafa, Milton Gilliam, Bob Champion, Gregg Smith, Karen Tucker, Charles Placek, and Frank Mesarick.

The Group recognized DCA K. Dunphy for his service and dedication to the Commission.

Officers and Committee Chairs Recognition

Chairman M. Gilliam (OK) recognized officers for their service and dedication: Commissioner S. Andrews (OH) as vice chair and Commissioner C. Lauterbach (IA) as treasurer.

Executive Director H. Hageman recognized Chairman M. Gilliam for his service and dedication to the Commission.

Chairman M. Gilliam (OK) recognized committee chairs for their service and dedication.

Chairman M. Gilliam (OK) announced that the next Annual Business Meeting would take place on October 5-7, 2015 in Portland, OR.

Justice Reinvestment Panel

Commissioner and panel moderator S. Andrews (OH) introduced panelists to the Commission.

Commissioner Andrews serves as the Managing Director of Court and Community for the Ohio Department of Rehabilitation and Correction (DRC), effective December 2012. She oversees the Ohio Parole Board, the Office of Victim Services, the Bureau of Research, the Office of Offender Reentry and Religious Services, Jail inspection and oversight, community supervision, fugitive and interstate compact operations, and DRC funded community corrections throughout the State of Ohio. Sara is also the Ohio Commissioner and Vice-Chair of the Interstate Compact for Adult Offender Supervision.

She was appointed Deputy Director of the Division of Parole and Community Services (DPCS) and Chief of the Adult Parole Authority (APA) in March 2010. Sara had previously served as the Superintendent of the Adult Parole Authority since 2003. She began her career with DRC as a parole officer in 1991 and since then held a variety of leadership positions in DRC. Sara's academic background includes a B.A. from the University of Northern Colorado and M.S. degree from the University of Dayton, Ohio. She is a member of the Ohio Justice Alliance for Community Corrections, Ohio Chief Probation Officer Association, American Probation and Parole Association, the Interagency Council Homelessness and Affordable Housing, recipient of the United States Attorney General's William French Smith award, the 2013 Ohio Community Corrections Association President's award, 2013 Ohio Justice Alliance for Community Corrections Bennett J. Cooper award and member of the Ohio Supreme Court's Joint Task Force to Review the Administration of Ohio's Death Penalty.

Commissioner Stromberg is currently serving as the Assistant Director of Community Corrections for the Oregon Department of Corrections. This role includes oversight of the community corrections grant in aid funding; development of statewide legislation, policies, and rules that govern community corrections; Jail Inspections; liaison between the Counties of Oregon and the Department of Corrections, and of course Interstate Compact.

He served the Oregon Board of Parole & Post-Prison Supervision from 2009-2012, first as the Executive Director before being appointed by Governor John Kitzhaber as a member of the Board.

Commissioner Stromberg worked for Multnomah County Department of Community Justice in Portland, Oregon (1997-2009) in a variety of roles including: Lead of the Juvenile Sex Offender Treatment Unit within the Juvenile Detention Center; Manager of the Adult Secure Residential Treatment Program; Manager of the START Drug Court; Manager of the Parole and Probation Domestic Violence Unit and finally Manager of the Local Control Supervision Unit.

Commissioner Graves is the Deputy Secretary for Community and Field Services for the Kansas Department of Corrections and has oversight of Parole, Community Corrections and Adult Interstate Compact. She also serves as the Interstate Compact Commissioner for the state of Kansas. Kathleen has been in the criminal justice field for over 30 years and has held positions in city and county law enforcement as well as the correctional field. She joined the KDOC in 1991 and has held positions as a parole officer and regional supervisor. In 2000 she became the Director of Community Corrections Services. In that capacity she provided grant oversight and technical assistance to the Community Corrections Act agencies in the State of Kansas. Kathleen has also been responsible for oversight of the Labette Correctional Conservation Camps, has been involved in the Kansas Criminal Justice Information System project, and assisted in the development and implementation of the current community supervision information technology system used by parole and community corrections. In 2010, she became the Parole Services Manager for KDOC and in 2011, she was appointed to the Prisoner

Review Board and participated in the development implementation of that board and its processes subsequent to the dissolution of the Kansas Parole Board by executive action. Kathleen received her Bachelor degree in Criminal Justice and Computer Science from Wichita State University.

Commissioner Kela E. Thomas, an Orangeburg native, was appointed by South Carolina Governor Nikki Haley and confirmed by the South Carolina State Senate as Director of the South Carolina Department of Probation, Parole and Pardon Services on February 24, 2011. Mrs. Thomas, the first African American female to head the third largest law enforcement agency in the state, has been employed with the Department since 1999, where she served as Deputy Director for Administration. She was the principal advisor to the Director on the agency administration to include legislative policy, fiscal and materials management, budgeting, training, information technology systems, and strategic planning.

Mrs. Thomas has had a diverse background in project management, budget and legislative governance, marketing and organizational development. She has had a lengthy career in financial management and executive oversight.

Mrs. Thomas holds a Bachelor of Arts degree in Management and Journalism from the University of South Carolina. She is a 2001 graduate of the South Carolina Executive Institute and a 2012 graduate of the South Carolina Criminal Justice Academy Class 579.

Mrs. Thomas serves the Midlands Community in many capacities. Junior League of Columbia, Richland School District Two Superintendent Business Advisory Council, and the University of South Carolina Board of Visitors.

Her professional affiliations include membership in the South Carolina Law Enforcement Association, South Carolina Probation and Parole Association, South Carolina State Employees Association, and Alpha Kappa Alpha Sorority Inc.

Some of her awards and recognitions include graduate of Leadership Columbia, YWCA of the Midlands Tribute to Women Nominee, the United Way Project Blue Print graduate, and a graduate of the 2012 Center for the Advancement of Leadership Skills Georgia State University.

Panelists shared their experiences with the Interstate Compact for Adult Offender on this issue.

Legalization of Marijuana

Commissioner and panel moderator J. Stromberg (OR) introduced panelists to the Commission.

Commissioner Pesterfield was named the Director of Parole for the Colorado Department of Corrections and assumed his role on February 3, 2014.

Mr. Pesterfield is responsible for the Division of Adult Parole and oversees the supervision of approximately 275 parole officers who manage over 10,000 parolees.

Mr. Pesterfield previously served eight years as the Director of Community Justice for Oregon's Columbia County Department of Community Justice, which oversaw both adult and juvenile divisions. Prior to this role, he served a total of six years as an Adult Parole and Probation Officer in Yamhill and Benton counties in Oregon.

His long and established law enforcement career also includes work as a Juvenile Detention Worker, Treatment/Unit Manager, and Police Officer.

Commissioner Madris serves as a Deputy Chief for the Nevada Department of Public Safety, Parole and Probation Division. She is the Commissioner and Compact Administrator for Nevada in the Interstate Commission for Adult Offender Supervision (ICAOS). Kim began her career in the criminal justice field with the Nebraska Department of Corrections as a corrections officer in June 1984. In February 1990 Kim accepted a position as an Adult Parole and Probation Officer with the Nevada Department of Public Safety, Parole and Probation Division, and relocated to Las Vegas, Nevada. Prior to her appointment as Deputy Chief she had served as an Adult Parole and Probation Officer, a DPS Sergeant, a DPS Lieutenant and DPS Captain for the Division. Kim has previously served the Commission as the Committee Chair for the ICAOS Deputy Compact Administrator (DCA) Liaison Committee and was a former Deputy Compact Administrator for Nevada Interstate. She has represented the Division in various inter-agency committees and commissions as well as at the state legislature. Kim earned her Bachelor of Science degree from the University of Nebraska in Criminal Justice and Sociology in December 1984. She also graduated in June 2007 from the Northwestern University Center for Public Safety, School of Police Staff and Command, Class 244

Commissioner Aylward is Assistant Secretary of Community Corrections. She has been active in this position for 4 years. Anmarie was appointed to community corrections based on her success in several divisions, programs and with legislative implementations over the years. Anmarie is a proud public servant and has been for over 25 years with the Department of Corrections. Beginning her tenure as a Research Analyst then moving through direct services particularly in prisons and treatment then offender change many of Anmarie's successes and challenges focus on the management and treatment of sex offenders in the system and in the community. Anmarie has expertise in transition of offenders and the management of sex offenders. She has extensive external stakeholder work in these areas. Her focus as Assistant Secretary has been on relationships and communication.

Anmarie began her career in criminal justice in her native Chicago Illinois with the Illinois Criminal Justice Information Authority after completing her Master's Degree in Sociology at Northern Illinois University. While she has an affinity for Chicago Anmarie moved west making a home in western Washington for over 26 years. Those years have

been punctuated with a strong family life. Anmarie values her husband and 4 sons, all native Washingtonians.

Anmarie has been active in and benefitted from the National Institute of Corrections, Executive Excellence Program, Harvard's John F. Kennedy School of Government and The Cascade Center for Public Service and Leadership. Anmarie maintains active memberships in the Association of Treatment for Sexual Abusers (ATSA), Executives of Probation and Parole, Association for Probation and Parole, Interstate Commission for Adult Offender Supervision (ICAOS) to name a few.

Panelists shared their experiences with the Interstate Compact for Adult Offender on this issue.

New Business/Election of Vice-Chair

Commissioner J. Seigel (IN) stated nomination rules and procedures.

Commissioner S. Andrews (OH) was nominated for chairwoman position by the Midwest Region.

There were no nominations from the floor.

Commissioner E. Ligtenberg (SD) moved to elect Commissioner Andrews (OH) to be chairwoman. Commissioner M. Potteiger (PA) seconded.

Motion passed unanimously.

Commissioner S. Andrews (OH) was elected as chairwoman.

The South Region nominated Commissioner C. Norman (AL) for Vice-chair position.

Commissioner J. Seigel (IN) asked for nominations from the floor.

Commissioner A. Aylward (WA) moved to nominate Commissioner Miller-Fox (UT) for vice chair position. Commissioner P. Bunke (MT) seconded.

Commissioner E. Ligtenberg (SD) moved to cease the nominations for Vice-chair. Commissioner M. Potteiger (PA) seconded.

Motion passed.

The candidates for vice-chair addressed the Commission.

The Commission voted electronically by secret ballot.

Commissioner C. Norman (AL) was elected as Vice chair.

The Midwest Region nominated Commissioner C. Lauterbach (IA) for Treasurer.

Commissioner J. Seigel (IN) asked for nominations from the floor.

Commissioner C. Gibson-Beltz (NE) moved to elect Commissioner Lauterbach (IA) to serve as Treasurer. Commissioner R. Maccarone (NY) seconded.

Motion passed unanimously.

Commissioner C. Lauterbach (IA) was elected as Treasurer.

Oath of Officers

Chairman M. Gilliam (OK) administered the Oath of Officers to newly elected officers: Commissioner S. Andrews (Chairwoman), Commissioner C. Norman (Vice-Chair), and Commissioner C. Lauterbach (Treasurer).

Call to the Public

Chairman M. Gilliam (OK) opened floor to the public comments. No comments received.

Chairman M. Gilliam (OK) thanked the national office staff for their diligence and hard work.

Adjourn

Commissioner S. Andrews (OH) made a motion to adjourn. Commissioner M. Potteiger (PA) seconded.

Motion passed.

The Commission adjourned at 4:52 pm CDT.



Notice of Public Hearing

The Interstate Commission for Adult Offender Supervision (ICAOS) will vote on proposals to create or amend ICAOS Rules at the 2015 Annual Business Meeting in Portland, OR on Wednesday, October 7, 2015.

In accordance with ICAOS Rule 2.109(c), the Rules Committee shall publish the text of the proposed rules or amendments no later than 30 days prior to the meeting at which the vote on the rule is scheduled. The full text of the proposals is viewable at www.interstatecompact.org.

Interested persons may submit written comments regarding the above proposed rules or amendments. Electronically submitted comments should be sent through the Final 2015 Proposed Rule Amendment Forum on the ICAOS website. If electronic submission is not possible, mail comments to:

Attention:

Lori Meister
Interstate Commission for Adult Offender Supervision
836 Euclid Ave, Suite 322
Lexington, KY 40502

Electronically submitted written comments must be received by 3:00 pm PT on Sunday, October 4, 2015. Mailed comments must be postmarked by September 25, 2015 to ensure timely receipt.

Interested persons may testify in person at the Public Hearing. As a courtesy, those interested in testifying in person should please submit notice of their intention to attend to Barno Saturday, bsaturday@interstatecompact.org or by calling 859-721-1056.

Location:

Hilton Portland & Executive Tower
Galleria South Meeting Room,
921 SW Sixth Ave.,
Portland, OR 97204

Time & Date:

4:00 pm–5:00 pm PT on Monday, October 5, 2015

2015 ICAOS Rule Proposals

- A. Rule 1.101 'Offender' & Rule 2.105 (West Region)**
- B. Rule 2.105 (East Region)**
- C. Rule 3.101-2 (West Region & Rules Committee)**
- D. Rule 3.101-3 (East Region & Rules Committee)**
- E. Rule 3.102 (East Region)**
- F. Rule 3.103 (South Region & Rules Committee)**
- G. Rule 4.111 (Midwest Region)**
- H. Rule 5.101-2 (Rules Committee) *New Rule**
- I. Rules 3.101-1, 3.103, 3.106, 4.111, 5.103 (Executive Committee & Rules Committee)**
- J. BylawArt2Sec2 (Executive Committee)**
- K. BylawArt7 (Executive Committee)**

Proposal to create/amend rules:

Rule 2.105 Misdemeanants

- (a) A misdemeanor offender whose sentence includes 1 year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes ~~1 or more of the following—~~
- ~~(1) an offense in which a person has incurred direct or threatened physical or psychological harm;~~
 - ~~(2) an offense that involves the use or possession of a firearm;~~
 - ~~(3) a 2nd or subsequent misdemeanor offense of driving while impaired by drugs or alcohol;~~
 - (4) a sexual offense that requires the offender to register as a sex offender in the sending state.

Adoption of this amendment would require the following additional changes to existing ICAOS definitions as follows:

Rule 1.101 Definitions

Offender – means an adult placed under, or made subject to, supervision as the result of a felony conviction for a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

As the misdemeanor rule as proposed to be amended would only apply to the misdemeanor offender whose instant offense was a sexual offense that requires the offender to register as a sex offender in the sending state and whose sentence includes 1 year or more of supervision, no change would be required to the existing definition for “Sex Offender” which reflects as follows:

Sex Offender – means an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to register as a sex offender either in the sending or receiving state and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

Justification:

2015_1101Offender_2105WEST

This proposal would amend the misdemeanor rule to specifically address the misdemeanor offender whose instant offense was a sexual offense that requires the offender to register as a sex offender in the sending state and whose sentence includes 1 year or more of supervision.

There has been extensive discussion by the Commission regarding misdemeanants and their inclusion within the requirements of the Interstate Compact. Debate has centered around whether misdemeanants should continue to be included, whether the qualifiers should be modified or whether misdemeanants should be eliminated from the Compact. Many regions and standing committees have submitted proposed amendments to the misdemeanor rule for consideration. This proposal provides an alternate approach for consideration.

The existing language in ICAOS Rule 3.101-2, Discretionary Transfer of Supervision, already provides us with the language needed to address “misdemeanants” if the misdemeanor rule were to be amended and/or eliminated by the Commission. Additionally, Advisory Opinion 4-2005 already directly supports that sending states may submit offense ineligible offenders for discretionary transfer consideration under the current rules of the Compact. During discussions and training, facilitators would need to emphasize that sending states would still have the ability to submit those cases they deem appropriate, based on the specific circumstances of the case, giving the prospective receiving state the opportunity to supervise those cases.

For sending states with supervised misdemeanants that need to be transferred, nothing in these proposed changes will impact those states from continuing to submit their misdemeanor cases for consideration by a prospective receiving state. However, for those states with lower level misdemeanants that are not supervised by the paroling or probation authority, but still trigger the requirements of the compact, this would remove the liability issue that has previously been discussed by removing those lower level misdemeanor cases, which states may not even be aware of, from the mandatory transfer criteria.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None

ICOTS impact:

None

Scope and Metric

Data may be able to be pulled to determine how many transfers will be affected.

Rules Committee action:

March 2015: Motion to recommend that the West Region withdraw or revise the proposal to Rule 2.105 made by T. Hudrlik, seconded by C. Moore. Motion passed. Motion to recommend the proposal not pass should the West Region move the proposal to Rule 2.105 forward as written, made by E. Ligtenberg, seconded by R. Maccarone. Motion passed.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 2.105 Misdemeanants

- (a) A misdemeanor offender whose sentence includes 1 year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes 1 or more of the following—
- (1) an offense in which a person has incurred direct or threatened physical or psychological harm;
 - (2) an offense that involves the use or possession of a firearm;
 - (3) a 2nd or subsequent misdemeanor ~~offense~~ conviction of driving while impaired by drugs or alcohol;
 - (4) a sexual offense that requires the offender to register as a sex offender in the sending state.

Justification:

Changing the word ‘offense’ to ‘conviction’ clarifies that there has to be a conviction on a previous DUI in order for the instant offense to be considered a 2nd or subsequent offense and an eligible misdemeanor. This question is asked frequently, especially by new or casual users, because the word offense does not necessarily mean a conviction occurred. During ICAOS rules trainings the fact that this rule refers to convictions only is always stated to clarify what this means because with the existing language it is not clear.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None

ICOTS impact:

None

Scope and Metric

N/A

Rules Committee action:

2015-2105-EAST

March 2015: Motion to recommend proposal from East Region to amend Rule 2.105 as drafted made by R. Maccarone, seconded by J. Nimer. This proposal will be considered for vote after the West Region proposal to Rule 2.105.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 3.101-2 Discretionary transfer of supervision

- (a) A sending state may request transfer of supervision of an offender who does not meet the eligibility requirements in Rule 3.101, where acceptance in the receiving state would support successful completion of supervision, rehabilitation of the offender, promote public safety, and protect the rights of victims.
- (b) The sending state ~~must~~ shall provide sufficient documentation to justify the requested transfer.
- (c) The receiving state shall have the discretion to accept or reject the transfer of supervision in a manner consistent with the purpose of the compact specifying the discretionary reasons for rejection.

Justification:

Increases the likelihood for acceptances of discretionary case by providing more information that supports the purpose of the compact.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None

ICOTS impact:

None

Scope and Metric

N/A

Rules Committee action:

Rules Committee March 2015: Recommend Rules Committee alternative to West Region and recommend its version be withdrawn made by R. Maccarone, seconded by J. Nimer. Motion passed.

2015 3.101_2WESTRULES

West Region April 2015: Motion to withdraw original proposal to Rule 3.101-2 and support the Rules Committee alternate language made by D. Ege, seconded by K. Madris. Motion passed.

July Rules Committee 2015:

Issues discussed:

- Providing risk assessment for discretionary cases
- Concerns for receiving state to use risk level as reason for denying a case
- Interpretation of what 'level of supervision' mean

Motion to revise the proposal D-2015_3101_1WESTRULES by removing added language 'to include the current level of supervision' and request the West Region support the change made by D. Clark, seconded by J. Nimer. Motion passed 7-2.

August West Region:

Motion to accept proposed changes recommend by the rules committee to remove 'to include the current level of supervision' from section (b) made by K. Madris, seconded by D. Sides. Motion passed.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 3.101-3 Transfer of supervision of sex offenders

- (a) *Eligibility for Transfer*-At the discretion of the sending state a sex offender shall be eligible for transfer to a receiving state under the Compact rules. A sex offender shall not be allowed to leave the sending state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued, by the receiving state. In addition to the other provisions of Chapter 3 of these rules, the following criteria will apply.
- (b) *Application for Transfer*-In addition to the information required in an application for transfer pursuant to Rule 3.107, in an application for transfer of supervision of a sex offender the sending state shall provide the following information, if available, to assist the receiving state in supervising the offender:
- (1) assessment information, including sex offender specific assessments;
 - (2) social history;
 - (3) information relevant to the sex offender's criminal sexual behavior;
 - (4) law enforcement report that provides specific details of sex offense;
 - (5) victim information
 - (A) the name, sex, age and relationship to the offender;
 - (B) the statement of the victim or victim's representative;
 - (6) the sending state's current or recommended supervision and treatment plan.
- (c) *Reporting instructions for sex offenders ~~living in the receiving state at the time of sentencing~~*- Rules 3.101-1, 3.103 and 3.106 apply to the transfer of sex offenders, as defined by the compact, except for the following:
- (1) The receiving state shall have 5 business days to review the proposed residence to ensure compliance with local policies or laws prior to issuing reporting instruction. If the proposed residence is invalid due to existing state law or policy, the receiving state may deny reporting instructions.
 - (2) No travel permit shall be granted by the sending state until reporting instructions are issued by the receiving state; except for 3.102 (c).

Justification:

The current language only applies to sex offenders living in the receiving state at the time of sentencing; therefore, that language was removed from the proposed amendment to make this section of the rule apply to all sex offenders. The language of 'as defined by the compact' was also added to emphasize that, in order to know if this rule applies in lieu of 3.103, the registration requirements of both state must be known.

When a receiving state receives an RFRI for a reason other than 'living in the receiving state at the time of sentencing' and only has 2 business days to respond, the tendency is to

2015- 3.101-3 EASTRULES

deny without taking the reasons for the request into consideration. If the receiving state has 5 business days to determine the suitability of the home plan for any sex offender request for reporting instructions, it is more likely the request will be given fair consideration. Additionally, the language ‘ except for 3.102 (c)’ was added under (c)(2) to clarify that sex offenders may be permitted to be in the receiving state, like any other offender, for the reasons outlined under rule 3.102(c). It is a common misconception that 3.101-3(c)(2) trumps all other rules with regard to sex offender travel when, in fact, offenders can be in the receiving state per 3.102(c) if they meet the condition of that rule.

Example 1: Receiving state receives a RFRI for a sex offender who has been under supervision in the sentencing state for several years and is doing well. The request is being submitted as expedited because the offender has received a job offer in the receiving state that is a great opportunity financially. The new employer is fully aware of the offender’s legal issues and situation. The employer would like him to start in 2 weeks and the company has found a residence for the offender in the receiving state. Since the receiving state has only 2 business days to respond, they deny because they want to have an opportunity to check out the residence to determine if it is appropriate for a sex offender and does not violate any local or state ordinances. If the receiving state had 5 business days to conduct a preliminary investigation of the home, they would be more likely to consider this request and entertain this opportunity for this offender.

Example 2: Receiving state receives a RFRI for a sex offender who lives in the sending state with his wife who is an active member of the US Navy. After 6 months of compliant supervision the offender’s wife receives military orders to relocate to a receiving state. The sending state submits a RFRI to the receiving state who denies because they will not grant RI’s without checking out the residence to determine if it is appropriate for a sex offender and does not violate any local or state ordinances. If the receiving state were given the 5 business days to preliminarily review the residence, they would be less likely to go directly to a denial and, if approved, the offender’s residential stability would be maintained.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

Est \$18,000: Change Compact Office users’ Compact Workload and email notifications to distinguish sex offenders of having a 5 business day due date for providing reporting instructions.

Scope and Metric

2015- 3.101-3 EASTRULES

ICOTS external compliance reports already account for 5 business days.

Rules Committee action:

Rules Committee March 2015: Recommend modified proposal to East region as alternate to 3.101-3 made by E. Ligtenberg, seconded by D. Ege. Motion passed.

East Region April 2015: Motion to withdraw original proposal to Rule 3.101-3 and support the Rules Committee amended version made by G. Roberge, seconded by R. Maccarone. Motion passed.

Rules Committee July 2015: The committee agreed that the proposal should include the ICOTS impact (est at \$18,000) to modify the compact workload due dates. Proposal to move forward for final comment as written.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 3.102 Submission of transfer request to a receiving state

- (a) Except as provided in sections (c) & (d), and subject to the exceptions in Rule 3.103 and 3.106, a sending state seeking to transfer supervision of an offender to another state shall submit a completed transfer request with all required information to the receiving state prior to allowing the offender to leave the sending state.
- (b) Except as provided in sections (c) & (d), and subject to the exceptions in Rule 3.103 and 3.106, the sending state shall not allow the offender to travel to the receiving state until the receiving state has replied to the transfer request.
- (c) An offender who is employed or attending treatment or medical appointments, in the receiving state at the time the transfer request is submitted and has been permitted to travel to the receiving state for ~~the employment, treatment or medical appointments purposes~~ may be permitted to continue to travel to the receiving state for the employment these purposes while the transfer request is being investigated, provided that the following conditions are met:
- (1) Travel is limited to what is necessary to report to work, and perform the duties of the job or to attend treatment or medical appointments and return to the sending state.
 - (2) The offender shall return to the sending state daily, immediately upon completion of the appointment or employment during non-working hours, and
 - (3) The Transfer Request shall include notice that the offender has permission to travel to and from the receiving state, pursuant to this rule, while the transfer request is investigated.
- (d) When a sending state verifies an offender is released from incarceration in a receiving state and the offender requests to relocate there and the offender meets the eligibility requirements of Rule 3.101 (a), (b) & (c), the sending state shall request expedited reporting instructions within 2 business days of the notification of the offender's release. The receiving state shall issue the reporting instructions no later than 2 business days. If the proposed residence is invalid due to existing state law or policy, the receiving state may deny reporting instructions.
- (1) The receiving state shall assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer" and any other forms that may be required under Rule 3.107, and shall transmit these forms to the sending state within 7 business days and mail the original to the sending state.
 - (2) The provisions of Rule 3.106 (b), (c) & (d) apply.

Justification:

Offenders who reside close to state borders are often forced to seek treatment or attend medical appointments across state lines due to limited options or because the location in the other state is the closest facility that meets their specific needs. These offenders need to be in the receiving state during the investigation so treatment is not interrupted and they can return to the sending state daily similarly to the offenders working in the receiving state. It is counterproductive to have an offender under these circumstances discontinue needed treatment pending the time it takes to complete an investigation.

Real example: A sending state had an offender who was undergoing cancer treatments in a nearby border state. The offender decided to relocate to that border state and had family there who were willing and able to assist so a TR was submitted. A request for RI's was also submitted because of the medical issues, but it was denied as not being an emergency. A TR was submitted and included a statement that the offender needed to be in the receiving state several days per week for ongoing cancer treatments. The receiving state indicated that the offender could not be there during the investigation despite the medical issues. The sending state's compact office spoke with the receiving state's compact office who continued to insist that the offender not be permitted to travel to the receiving state until the TR investigation was completed. The sending state asked then if RI's would be reconsidered and they were told 'no.' To interrupt this type of treatment is completely counterproductive and detrimental to an offender's health and well-being. Luckily the receiving state did expedite the investigation, but all of that could be avoided had the proposal to this rule existed.

Real example: A sending state had an offender who was attending D&A treatment at the closest provider to their rural home area which happened to be in a border state. That offender later receive a job offer in that same border state and was hoping to start the new job as soon as possible. A request for RI's was denied as not an emergency. A TR was submitted and denied because the sending state officer realized, through a review of the documents submitted, that the offender was attending treatment twice weekly (one individual and one group session per week) in the receiving state. The offender was only in the receiving state for the purposes of treatment and would return after each appointment. To insist this offender discontinue treatment, even for 30 or 45 days, is counterproductive and can negatively affect their stability, which is what we strive to maintain as these offender relocate from one state to another.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

None.

2015-3.102EAST

Scope and Metric

N/A

Rules Committee action:

Rules Committee: Motion to recommend adoption of East Region's proposal for Rule 3.102 made by D. Ege, seconded T. Hudrlik. Motion passed.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 3.103 Reporting instructions; offender living in the receiving state at the time of sentencing or after disposition of a violation or revocation proceeding

- (a)
- (1) A request for reporting instructions ~~request~~ for an offender who was living in the receiving state at the time of initial sentencing or after disposition of a violation or revocation proceeding shall be submitted by the sending state within 7 business days of the initial sentencing date, disposition of violation, revocation proceeding or release from incarceration to probation supervision. The sending state may grant a 7 day travel permit to an offender who was living in the receiving state at the time of initial sentencing or disposition of violation or revocation proceeding. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.
 - (2) The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.
 - (3) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 prior to granting a travel permit to the offender. Upon request from the receiving state, the sending state shall transmit all signed forms within 5 business days.
 - (4) The sending state shall transmit a departure notice to the receiving state per Rule 4.105.
 - (5) This section is applicable to offenders incarcerated for 6 months or less and released to probation supervision.
- (b) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.
- (c) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (d) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 business days following the granting to the offender of the reporting instructions.
- (e)
- (1) If the receiving state rejects the transfer request for an offender granted reporting instructions, or if the sending state fails to send a completed transfer request by the 15th business day following the granting of reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state within

15 business days of receiving notice of rejection or failure to send a transfer request. The receiving state retains authority to supervise the offender until the offender's directed departure date from the receiving state or issuance of the sending state's warrant.

- (2) If the offender does not return to the sending state, as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in all states without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.

Justification:

When offenders given Reporting Instructions under Rule 3.103 (Living in the Receiving State at the Time of Sentencing) are retaken by the sending state to face revocation and are then returned to supervision after serving 6 months or less on the revocation, they currently do not qualify again as Living in the RS at Sentencing because "sentencing" has been interpreted to mean the initial sentencing only and not the revocation sentencing.

This often creates a hardship for an offender who still has no ties to the sending state and may have to wait up to 45 calendar days before being allowed to return to their home and job if discretionary Reporting Instructions are not approved.

The new, mandatory Request for Reporting Instructions would be submitted under a new case number since the old one would have been closed out when the offender was retaken. A transfer request investigation of the plan would still be conducted. New Notices of Departure and Arrival would still be submitted.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

Requires ICOTS enhancement. Estimate: \$2,300.

Due to application and title change, text change should be made to the RFRI builder and PDFs 'reason for reporting instructions.' Currently users select "Probationer living in the receiving state" for cases qualifying under this rule.

Scope and Metric

N/A

Rules Committee action:

2015_3103SOUTHRULES

Rules Committee March 2015: Motion to recommend alternate proposal to the South Region for Rule 3.103 made by M. Gilliam, seconded by E. Ligtenberg. Motion passed.

South Region April 2015: Motion to support Rules Committee version to Rule 3.103 adding language to the title and requesting clarification from the Rules Committee about the impact of leaving 'probation' in section (a) made by A. Precythe, seconded by G. Powers. Motion passed.

Rules Committee April 2015: Motion to accept the South Region's recommendation for title change and to strike the last paragraph of the justification made by D. Ege, seconded by R. Maccarone. Motion passed. It was also discussed that 'probation' should remain in section (a) as it pertains to those offenders qualifying under the rule at initial sentencing.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 4.111 Offender requesting return to the sending state

- (a) Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions, unless the offender is under active criminal investigation or is charged with a subsequent criminal offense in the receiving state. The offender shall remain in the receiving state until receipt of reporting instructions.
- (b) Except as provided in subsection (c), the sending state shall grant the request and provide reporting instructions no later than 2 business days following receipt of the request for reporting instructions from the receiving state.
- (c) In a victim sensitive case, the sending state shall not provide reporting instructions until the victim notification provisions of Rule 3.108 (b)(1)(C) have been followed.
- (d) A receiving state shall notify the sending state as required in Rule 4.105 (a).
- (e) A sending state shall assume responsibility for supervision of an offender who is granted reporting instructions upon the offender's departure from the receiving state. A sending state shall notify the receiving state as required in Rule 4.105 (b).

Justification:

When an offender returns to the sending state on approved reporting instructions, the Notice of Departure is submitted upon the offender's departure by the receiving state per Rule 4.111 (d). Rule 4.112 (a) provides the receiving state may close its supervision of an offender and cease supervision upon (5) Return to sending state. Since it is not required by Rule, at the sending state's discretion, a Notice of Arrival may or may not be submitted notifying the receiving state of the offender's arrival. Therefore, the receiving state may not receive confirmation of the offender's return. Although the Case Closure Notice reply may include this information when it is submitted to the receiving state, which by Rule must occur within 10 business days of receipt, there is no requirement the offender's arrival or failure to arrive be documented. In the interest of public safety and sound accountability practices, it needs to be clear that the sending state has assumed supervision upon the offender's return to the sending state. This Rule Amendment would provide clear direction to the sending state that a Notice of Arrival must be submitted upon the offender's arrival or failure to do so.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

2015-4111MIDWEST

None.

ICOTS impact:

Estimate: \$11, 250

Requires ICOTS enhancement. As stated in the justification, the region requests that for returning offenders that the 'supervising state' label reflects the 'sending state' upon transmission of a Notice of Departure by the receiving state after issuance of reporting instructions for a returning offender.

Current design of ICOTS changes the 'supervising state' status upon a 'successful' Notice of Arrival. In most instances for returning offenders, case closures are sent along with the Notice of Departure indicating the receiving state is no longer actively supervising the offender. The change noted above would simply reflect the supervising state assignment on the offender's profile summary.

Scope and Metric

External data for compact cases can be modified to display reporting instructions information separate from the transfer request information.

Rules Committee action:

Rules Committee January 2015: Commissioner D. Ege (AZ) moved to forward the proposal 2015-MIDWEST – 4.111 for the Commission's review. Commissioner C. Norman (AL) seconded. Motion passed.

Rules Committee April 2015: Committee recommends that the region review the ICOTS impact. The Committee also discussed the Executive Committee's proposal to Rule 4.111 and presenting this proposal first for vote.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 5.101-2 Discretionary process for disposition of violation in the sending state for a new crime conviction

Notwithstanding any other rule, a sentence imposing a period of incarceration on an offender convicted of a new crime which occurred outside the sending state during the compact period may satisfy or partially satisfy the sentence imposed by the sending state for the violation committed. This requires the approval of the sentencing or releasing authority in the sending state and consent of the offender.

- (a) Unless waived by the offender, the sending state shall conduct, at its own expense, an electronic or in-person violation hearing.
- (b) The sending state shall send the violation hearing results to the receiving state within 10 business days.
- (c) If the offender's sentence to incarceration for the new crime fully satisfies the sentence for the violation imposed by the sending state for the new crime, the sending state is no longer required to retake if Rules 5.102 and 5.103 apply.
- (d) If the offender's sentence to incarceration for the new crime only partially satisfies the sentence for the violation imposed by the sending state for the new crime, the sending state is required to retake if Rules 5.102 and 5.103 apply.
- (e) The receiving state may close the case under Rule 4.112 (a)(3).

Justification:

This new rule is intended to:

- promote joint and cooperative supervision of offenders who commit new crimes outside the sending state
- provide for offender accountability
- promote victim safety
- allocate supervision responsibility between sending and receiving states in the interest of public safety
- reduce costs to states associated with retaking offenders where imposition of sentence can best be carried out by the supervising state
- promote "swift and certain" violation sanctions as advocated by justice reinvestment
- increase the likelihood that supervision is continued in lieu of early termination of supervision

2015-51012RULES

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

None.

Scope and Metric

N/A

Rules Committee action:

Rules Committee March 2015: Motion to recommend new Rule 5.101-2 as an alternate proposal to the West Region's proposal for a new rule made by D. Ege, seconded by C. Moore. Motion passed.

Rules Committee July 2015: Motion to revise the proposal 2015_5101_2RULES by adding 'or releasing authority' made by R. Maccarone, seconded by J. Nimer. Motion passed unanimously. Motion to revise the title to proposal J-2015_5101_2RULES to 'Discretionary process for disposition of violation in the sending state for a new crime conviction' made by D. Ege, seconded by T. Hurdlik. Motion passed unanimously.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Rule 3.101-1 Mandatory reporting instructions and transfers of military, families of military, family members employed, employment transfer, and veterans for medical or mental health services

- (a) At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer for:
- (1) *Transfers of military members-* An offender who is a member of the military and has been deployed by the military to another state, shall be eligible for reporting instructions and transfer of supervision.
 - (2) *Transfer of offenders who live with family who are members of the military-* An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and (e)(2) and who lives with a family member who has been deployed to another state, shall be eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state.
 - (3) *Employment transfer of family member to another state-* An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and (e)(2) and whose family member, with whom he or she resides, is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment, shall be eligible for reporting instructions and transfer of supervision, provided that the offender will live with the family member in the receiving state.
 - (4) *Employment transfer of the offender to another state –* An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment shall be eligible for reporting instructions and transfer of supervision.
 - (5) *Transfers of veterans for medical or mental health services-* An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and who is a veteran of the United States military services who is eligible to receive health care through the United States Department of Veterans Affairs, Veterans Health

Administration and is referred for medical and/or mental health services by the Veterans Health Administration to a regional Veterans Health Administration facility in the receiving state shall be eligible for reporting instructions and transfer of supervision provided:

- (A) the sending state provides documentation to the receiving state of the medical and/or mental health referral; and
 - (B) the transfer of supervision will be accepted if the offender is approved for care at the receiving state Veterans Health Administration facility.
- (b) The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.
 - (c) If the receiving state rejects the transfer request for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state shall initiate the offender's return to the sending state under the requirements of Rule 4.111.
 - (d) If the sending state fails to send a completed transfer request by the 15th business day for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state may initiate the offender's return to the sending state under the requirements of Rule 4.111.

Rule 3.103 Reporting instructions; offender living in the receiving state at the time of sentencing

- (a)
 - (1) A reporting instructions request for an offender who was living in the receiving state at the time of sentencing shall be submitted by the sending state within 7 business days of the sentencing date or release from incarceration to probation supervision. The sending state may grant a 7 day travel permit to an offender who was living in the receiving state at the time of sentencing. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.
 - (2) The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.
 - (3) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 prior to granting a travel permit to the offender. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.
 - (4) The sending state shall transmit a departure notice to the receiving state per Rule 4.105.

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- (5) This section is applicable to offenders incarcerated for 6 months or less and released to probation supervision.
- (b) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.
- (c) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (d) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 business days following the granting to the offender of the reporting instructions.
- (e) If the receiving state rejects the transfer request for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state shall initiate the offender's return to the sending state under the requirements of Rule 4.111.
- (f) If the sending state fails to send a completed transfer request by the 15th business day for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state may initiate the offender's return to the sending state under the requirements of Rule 4.111.
- ~~(1) If the receiving state rejects the transfer request for an offender granted reporting instructions, or if the sending state fails to send a completed transfer request by the 15 business day following the granting of reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state within 15 business days of receiving notice of rejection or failure to send a transfer request. The receiving state retains authority to supervise the offender until the offender's directed departure date from the receiving state or issuance of the sending state's warrant.~~
- ~~(2) If the offender does not return to the sending state, as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in all states without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.~~

Rule 3.106 Request for expedited reporting instructions

- (a)
- (1) A sending state may request that a receiving state agree to expedited reporting instructions for an offender if the sending state believes that emergency

circumstances exist and the receiving state agrees with that determination. If the receiving state does not agree with that determination, the offender shall not proceed to the receiving state until an acceptance is received under Rule 3.104-1.

(2)

(A) A receiving state shall provide a response for expedited reporting instructions to the sending state no later than 2 business days following receipt of such a request. The sending state shall transmit a departure notice to the receiving state upon the offender's departure.

(B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 prior to granting reporting instructions to the offender. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.

(b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.

(c) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than the 7th business day following the granting to the offender of the reporting instructions.

(d) If the receiving state rejects the transfer request for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state shall initiate the offender's return to the sending state under the requirements of Rule 4.111.

(e) If the sending state fails to send a completed transfer request by the 15th business day for an offender who has been granted reporting instructions and has arrived in the receiving state, the receiving state may initiate the offender's return to the sending state under the requirements of Rule 4.111.

~~(1) If the receiving state rejects the transfer request for an offender granted reporting instructions, or if the sending state fails to send a completed transfer request by the 7th business day following the granting of reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state within 15 business days of receiving notice of rejection or failure to send a transfer request. The receiving state retains authority to supervise the offender until the offender's directed departure date from the receiving state or issuance of the sending state's warrant.~~

~~(2) If the offender does not return to the sending state, as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in~~

~~all states without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.~~

Rule 4.111 Offender requesting Offenders returning to the sending state

- (a) ~~Upon an offender's request to return~~ For an offender returning to the sending state, the receiving state shall request reporting instructions, unless the offender is under active criminal investigation or is charged with a subsequent criminal offense in the receiving state. The offender shall remain in the receiving state until receipt of reporting instructions.
- (b) If the receiving state rejects the transfer request for an offender granted reporting instructions under Rules 3.101-1, 3.101-3, 3.103 or 3.106 the receiving state shall, upon submitting notice of rejection, submit a request for return reporting instructions within 7 business days.
- (c) Except as provided in subsection ~~(e)~~ (d), the sending state shall grant the request and provide reporting instructions no later than 2 business days following receipt of the request for reporting instructions from the receiving state. The sending state shall direct the offender to return to the sending state within 15 business days of the reporting instructions request.
- (d) In a victim sensitive case, the sending state shall not provide reporting instructions until the victim notification provisions of Rule 3.108 (b)(1)(C) have been followed.
- (e) The receiving state retains authority to supervise the offender until the offender's directed departure date or issuance of the sending state's warrant. Upon departing, the receiving state shall notify the sending state as required in Rule 4.105 (a) and submit a case closure as required by Rule 4.112 (a)(5).
- (f) If the offender does not return to the sending state as ordered, the sending state shall issue a warrant no later than 10 business days following the offender's failure to appear in the sending state.

Rule 5.103 Mandatory retaking for violation of conditions of supervision

- (a) Upon a request by the receiving state and a showing that the offender has committed 3 or more significant violations, as defined by the compact, arising from separate incidents that establish a pattern of non-compliance of the conditions of supervision, a sending state shall issue a warrant to retake or order the return of an offender from the

receiving state or a subsequent receiving state within 15 business days of the receipt of the request by the receiving state.

- (b) If the offender is ordered to return in lieu of retaking, the receiving state shall request reporting instructions per Rule 4.111 within 7 business days following the receipt of the violation response.
- (c) The receiving state retains authority to supervise until the offender's directed departure date. If the offender does not return to the sending state as ordered, then the sending state shall issue a warrant, no later than 10 business days following the offender's failure to appear in the sending state.

Justification:

Currently states are uniformly using the "returning to the sending state" reason for reporting instructions when offenders *request* to return as required by Rule 4.111. This process tracks and monitors information and offender movement using notice of departure and notice of arrivals as well as prompts the sending state to inform any known victim's before the offenders return.

Although recognizing it is not required by rule, some states use the existing functionality for requesting reporting instructions for offenders returning after a rejection or violation exceeding rule requirements. A few states upon receipt of the reporting instructions requests insist those requests be withdrawn due to the rules not requiring the process which is counterintuitive to the Commission's efforts to track offenders and protect the public.

Using the existing functionality for offenders returning due to a rejection and/or violation makes sense as part of the Commission's goal to enhance public safety by tracking offender movement.

The use of reporting instructions ensures the offender is returned timely while tracking the movement of the offender in ICOTS. The changes also allow the receiving state to clearly indicate whether the rejection was due to incompleteness allowing the offender to remain or is a rejection in which the offender will be required to return to the sending state.

Requiring a warrant for any instance where an offender fails to appear back in the sending state as ordered enhances public safety.

Intended Rule Application:

2015-31011_3103_3106_4111_5103-EXECRULES

This proposal references Rule 4.111 as a standard procedure for requesting reporting instructions for offenders returning to a sending state. Each scenario and Rule covers three different circumstances for why an offender supervised in a receiving state would return to a sending state.

#1 offenders returning based on a rejected Transfer Request after approval of reporting instructions

#2 returning based on an offender's request to return

#3 returning an offender under Rule 5.103 in lieu of retaking

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

None. This proposal would not require an enhancement to ICOTS as functionality already exists for returning offenders using the Request for Reporting Instruction functionality. This process allows for transmission of a Notice of Departure and Notice of Arrival to track the offender's movement.

Scope and Metric

Each scenario and reason for returning should be able to be tracked and distinguished from one another in ICOTS using various data elements concerning compact case statuses and other activities existing on the records. However, the process regardless of the reason will be consistent for the user managing the return.

Rules Committee action:

Rules Committee March 2015: Motion to recommendation that the Executive Committee accept the Rules Committee version of the proposal for Rules 3.101-1, 3.103, 3.106 & 4.111 made by D. Ege, seconded by E.Ligtenberg. Motion passed. This would include Rule 5.103 to be voted separately (includes Rules Committee version and Executive Committee version) and 3.101-1 added to the alternate language as recommended by the Rules Committee.

Executive Committee April 2015: Motion to accept the Rules Committee version for the Executive Committees alternate proposal for Rules 3.101-1, 3.103, 3.106 & 4.111 and requesting that 4.111 (g) be removed from the proposal made by A. Precythe, seconded by G. Miller Fox. Motion Passed.

2015-31011_3103_3106_4111_5103-EXECRULES

Rules Committee April 2015: Motion to accept the request to remove 4.111 (g) from the proposal, switch order of sections (a) & (b) and modify the title of the rule made by C. Moore, seconded by D. Ege. Motion passed.

Rules Committee July 2015:

Issues discussed:

- Comment concerns about allowing discretion for the receiving state to request return when the sending state fails to send a completed transfer request.
- Comment concerns regarding return addresses. The committee agreed that states can put the sending state's agency address if unknown.

Motion to support and revise the proposal K-2015_3101_1_3103_3106_4111_EXECRULES by changing the word 'shall' to 'may' in sections 3.101-1 (d), 3.103 (f) and 3.106 (e) and request the Executive Committee to support the changes made by T. Hurdlik, seconded by M. Gilliam. Motion passed unanimously.

Motion to support and revise proposal Ka-2015_5103EXEC with Executive Committee's approval to include additional language to section (b) 'within 7 business days following the receipt of the violation response' made by T. Hurdlik, seconded by D. Ege. Motion passed unanimously.

Effective date:

March 1, 2016

Proposal to create/amend rules:

Section 2. Ex-Officio Members

The Commission membership shall also include but are not limited to individuals who are not commissioners and who shall not have a vote, but who are members of interested organizations. Such non-commissioner members must include a ~~member~~ representative of the National Governors Association, the National Conference of State Legislatures, the Conference of Chief Justices, the National Association of Attorneys General and the National Organization for Victim Assistance. ~~of the national organizations of governors, legislators, state chief justices, attorneys general and crime victims.~~ In addition representatives of the National Institute of Corrections, the American Probation and Parole Association, ~~and~~ Association of Paroling Authorities International, the Interstate Commission for Juveniles, the Association of Prosecuting Attorneys, the Conference of State Court Administrators, the National Sheriff's Association, the American Jail Association, the National Association of Police Organizations, National Association for Public Defense and the International Association of Chief of Police ~~shall~~ may be ex-officio members of the Commission.

Justification:

This amendment updates and expands the ex-officio organizations/members to reflect current practice and to allow for additional interested stakeholders to be considered ex-officio members as needed.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

None.

Scope and Metric

N/A

Rules Committee action:

Rules Committee January 2015: Commissioner D. Ege (AZ) moved to forward the proposal 2015-EXEC-By-LawArt2Sec2 for the Commission's review. Commissioner J. Nimer (FL) seconded. Motion passed.

2015- By-LawArt2Sec2 EXEC

Executive Committee August 2015: Motion to remove 'National Association of Defense Attorneys' due to non-response and add 'National Association for Public Defense' to list of ex-officio members

Effective date:

March 1, 2016

Proposal to create/amend rules:

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons or vice-chairperson of each committee, the regional representatives or designees, and the ex-officio victims' representative to the Interstate Commission. The immediate past chairperson of the Commission shall also serve as an ex-officio member of the executive committee and both the ex-officio victims' representative and immediate past chairperson shall serve for a term of two years. The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Standing Committees.

The Commission may establish such other committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance Committee; Rules Committee; Compliance Committee; Information Technology Committee; and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission. In the event a chairperson of a standing committee is unable to attend a specified meeting of a standing committee or a meeting of the executive committee, each standing committee may designate a vice-chairperson to act on behalf of the standing committee at a specified standing or executive committee meeting.

Section 4. Regional Representatives.

A regional representative of each of the four regions of the United States, Northeastern, Midwestern, Southern, and Western, shall be elected or reelected, beginning with the 2005 annual meeting, by a plurality vote of the commissioners of each region, and shall serve for two years or until a successor is elected by the commissioners of that region. The states and territories comprising each region shall be determined by reference to the regional divisions used by the Council of State Governments. In the event a regional representative is unable to attend a regional meeting or a meeting of the executive committee, that region shall be authorized to designate an alternative representative who is a commissioner from the same region to act on behalf of a regional representative at a specified regional or executive committee meeting.

Justification:

This amendment allows a vice-chair of a committee or a designee of a region to serve in place of a committee chair or regional representative when that chair or representative is

2015- By-LawArt7EXEC

unavailable. This allows for business to be conducted in spite of those absences and therefore creates greater continuity of business. It also encourages an expansion of potential leadership for the Commission and formally defines the role of vice-chair and designee.

The following information is drafted by the Rules Committee

Effect on other rules, advisory opinions or dispute resolutions:

None.

ICOTS impact:

None

Scope and Metric

N/A

Rules Committee action:

Rules Committee January 2015: Commissioner D. Ege (AZ) moved to forward the proposal 2015-EXEC-By-LawArt7Sec1,2and4 for the Commission's review. Commissioner J. Nimer (FL) seconded. Motion passed.

Effective date:

March 1, 2016

OFFENDERS ON ACTIVE SUPERVISION AT CLOSE OF FY 2015

States	Incoming				Outgoing				Total Offenders
	Parole Only Cases	Probation Only Cases	Probation & Parole Cases	Incoming Offenders	Parole Only Cases	Probation Only Cases	Probation & Parole Cases	Outgoing Offenders	
Alabama	1,127	3,528	36	3,881	540	1,522	14	1,876	5,757
Alaska	73	156	10	217	55	160	56	208	425
Arizona	674	1,704	3	2,099	320	2,594	-	2,697	4,796
Arkansas	936	1,984	30	2,498	2,017	1,447	22	3,005	5,503
California	1,528	4,546	64	5,632	604	2,277	6	2,719	8,351
Colorado	449	1,407	10	1,631	832	2,509	4	2,967	4,598
Connecticut	216	868	-	961	254	1,236	1	1,241	2,202
Delaware	271	780	21	830	25	417	22	405	1,235
District of Columbia	250	1,018	37	980	2	503	-	472	1,452
Florida	2,548	6,075	69	7,462	247	6,355	10	5,934	13,396
Georgia	1,235	4,109	15	4,778	2,657	9,222	16	9,471	14,249
Hawaii	50	154	-	188	140	335	1	401	589
Idaho	180	464	32	607	604	1,381	8	1,769	2,376
Illinois	1,657	3,878	8	4,755	1,118	2,310	3	3,170	7,925
Indiana	999	2,796	5	3,259	496	2,413	3	2,555	5,814
Iowa	416	1,243	15	1,432	413	1,110	8	1,392	2,824
Kansas	588	1,472	9	1,709	569	1,428	6	1,700	3,409
Kentucky	632	2,286	19	2,554	1,380	3,024	23	3,754	6,308
Louisiana	1,046	2,281	27	2,903	1,600	2,095	32	3,014	5,917
Maine	95	323	3	362	3	238	-	228	590
Maryland	734	3,489	44	3,575	681	1,700	116	1,823	5,398
Massachusetts	274	1,492	-	1,553	168	1,121	-	1,123	2,676
Michigan	817	2,088	21	2,570	756	1,377	19	1,935	4,505
Minnesota	444	1,543	36	1,779	491	2,528	3	2,581	4,360
Mississippi	830	1,873	22	2,355	968	2,092	23	2,431	4,786
Missouri	1,154	2,754	28	3,431	1,910	4,137	11	4,753	8,184
Montana	124	386	12	462	239	734	231	1,025	1,487
Nebraska	296	725	-	899	136	355	-	462	1,361
Nevada	277	842	18	1,031	466	1,230	4	1,555	2,586
New Hampshire	121	579	-	619	245	351	3	523	1,142
New Jersey	746	2,349	6	2,705	984	2,704	6	3,231	5,936
New Mexico	287	1,010	3	1,159	423	1,028	9	980	2,139
New York	1,004	4,389	5	4,744	1,637	1,928	16	3,289	8,033
North Carolina	1,224	4,273	62	4,800	288	1,344	20	1,491	6,291
North Dakota	152	783	25	818	95	695	71	726	1,544
Ohio	1,601	3,471	41	4,381	871	1,998	10	2,596	6,977
Oklahoma	1,070	2,112	42	2,830	254	1,525	7	1,654	4,484
Oregon	346	947	47	1,230	598	1,031	49	1,526	2,756
Pennsylvania	796	2,667	28	3,038	2,124	4,809	23	5,747	8,785
Puerto Rico	166	186	2	327	21	88	-	100	427
Rhode Island	85	529	-	536	96	884	1	789	1,325
South Carolina	803	2,366	23	2,753	205	1,021	13	1,110	3,863
South Dakota	141	493	3	550	313	561	1	753	1,303
Tennessee	1,587	4,539	36	5,109	618	2,726	14	2,978	8,087
Texas	2,953	5,293	14	7,028	3,256	7,712	45	9,613	16,641
Utah	191	638	6	736	172	389	2	519	1,255
Vermont	76	241	-	288	142	281	1	392	680
Virgin Islands	18	34	-	48	7	7	-	14	62
Virginia	782	2,055	44	2,485	398	7,720	54	6,567	9,052
Washington	558	1,582	76	2,036	144	537	10	643	2,679
West Virginia	268	1,358	11	1,330	884	411	23	1,001	2,331
Wisconsin	400	1,636	11	1,818	1,804	2,032	73	3,239	5,057
Wyoming	119	399	18	477	144	561	4	625	1,102
Total	35,414	100,193	1,097	118,238	35,414	100,193	1,097	116,772	235,010

**Interstate Compact for Adult Offender Supervision
State Dues Assessment - FY 2016**

State	State Dues Ratio	State Population	US Population	FY13 State	US Offender	State Dues
				Offender Transfers	Transfers	
U.S. Virgin Islands	0.000280358	102,000	312,573,327	54	230,382	\$10,314.65
Alaska	0.002182192	710,231	312,573,327	482	230,382	\$20,629.30
Vermont	0.002333520	625,741	312,573,327	614	230,382	\$20,629.30
Wyoming	0.003074069	563,626	312,573,327	1,001	230,382	\$20,629.30
Maine	0.003325060	1,328,361	312,573,327	553	230,382	\$20,629.30
Hawaii	0.003478156	1,360,301	312,573,327	600	230,382	\$20,629.30
North Dakota	0.003910316	672,591	312,573,327	1,306	230,382	\$20,629.30
Delaware	0.003979959	897,934	312,573,327	1,172	230,382	\$20,629.30
Dist. of Columbia	0.004003133	601,723	312,573,327	1,401	230,382	\$20,629.30
South Dakota	0.004076037	814,180	312,573,327	1,278	230,382	\$20,629.30
Rhode Island	0.004444344	1,052,567	312,573,327	1,272	230,382	\$20,629.30
New Hampshire	0.004536603	1,316,470	312,573,327	1,120	230,382	\$20,629.30
Montana	0.004545164	989,415	312,573,327	1,365	230,382	\$20,629.30
Nebraska	0.005623494	1,826,341	312,573,327	1,245	230,382	\$20,629.30
West Virginia	0.006677493	1,852,994	312,573,327	1,711	230,382	\$20,629.30
Puerto Rico	0.006956036	3,725,789	312,573,327	459	230,382	\$20,629.30
Utah	0.006982143	2,763,885	312,573,327	1,180	230,382	\$20,629.30
Idaho	0.007392907	1,567,582	312,573,327	2,251	230,382	\$20,629.30
New Mexico	0.007877605	2,059,179	312,573,327	2,112	230,382	\$20,629.30
Nevada	0.009480861	2,700,551	312,573,327	2,378	230,382	\$28,651.80
Connecticut	0.010253158	3,574,097	312,573,327	2,090	230,382	\$28,651.80
Iowa	0.011030190	3,046,355	312,573,327	2,837	230,382	\$28,651.80
Kansas	0.011426433	2,853,118	312,573,327	3,162	230,382	\$28,651.80
Oregon	0.012517668	3,831,074	312,573,327	2,944	230,382	\$28,651.80
Mississippi	0.015244343	2,967,297	312,573,327	4,837	230,382	\$28,651.80
Oklahoma	0.015359124	3,751,351	312,573,327	4,312	230,382	\$28,651.80
Massachusetts	0.016003695	6,547,629	312,573,327	2,548	230,382	\$28,651.80
South Carolina	0.016334006	4,625,364	312,573,327	4,117	230,382	\$28,651.80
Washington	0.016707726	6,724,540	312,573,327	2,742	230,382	\$28,651.80
Arkansas	0.016724778	2,915,918	312,573,327	5,557	230,382	\$28,651.80
Minnesota	0.017452004	5,303,925	312,573,327	4,132	230,382	\$28,651.80
Colorado	0.017945773	5,029,196	312,573,327	4,562	230,382	\$28,651.80
Kentucky	0.019461868	4,339,367	312,573,327	5,769	230,382	\$28,651.80
Wisconsin	0.019486310	5,686,986	312,573,327	4,787	230,382	\$28,651.80
Maryland	0.020058844	5,773,552	312,573,327	4,987	230,382	\$28,651.80
Arizona	0.020112753	6,392,017	312,573,327	4,556	230,382	\$28,651.80
Alabama	0.020448433	4,779,736	312,573,327	5,899	230,382	\$28,651.80
Louisiana	0.020488405	4,533,372	312,573,327	6,099	230,382	\$28,651.80
Indiana	0.023033229	6,483,802	312,573,327	5,834	230,382	\$28,651.80
Michigan	0.025454965	9,883,640	312,573,327	4,444	230,382	\$28,651.80
New Jersey	0.026592921	8,791,894	312,573,327	5,773	230,382	\$36,674.30
Tennessee	0.026925700	6,346,105	312,573,327	7,729	230,382	\$36,674.30
Missouri	0.028023316	5,988,927	312,573,327	8,498	230,382	\$36,674.30
North Carolina	0.028650508	9,535,483	312,573,327	6,173	230,382	\$36,674.30
Virginia	0.030480138	8,001,024	312,573,327	8,147	230,382	\$36,674.30
Ohio	0.032545889	11,536,504	312,573,327	6,493	230,382	\$36,674.30
Illinois	0.037723890	12,830,632	312,573,327	7,925	230,382	\$36,674.30
Pennsylvania	0.038037437	12,702,379	312,573,327	8,164	230,382	\$36,674.30
Georgia	0.047580278	9,687,653	312,573,327	14,783	230,382	\$44,696.81
New York	0.047869668	19,378,102	312,573,327	7,774	230,382	\$44,696.81
Florida	0.059862522	18,801,310	312,573,327	13,725	230,382	\$44,696.81
California	0.077241295	37,253,956	312,573,327	8,132	230,382	\$52,719.31
Texas	0.077602682	25,145,561	312,573,327	17,223	230,382	\$52,719.31

\$1,516,253.26

Proposed ICAOS - FY 2017 Budget

	<u>FY15</u> Actual Budget	<u>FY16</u> Proposed Budget	<u>FY17</u> Proposed Budget
<u>REVENUE</u>			
Dues Assessment	\$1,516,253.30	\$1,516,253.26	\$1,516,253.26
Cash Reserve	\$337,260.50	\$90,000.00	\$147,511.74
Dividend Income	\$14,247.27	\$7,500.00	\$12,000.00
INTEREST INCOME**	\$14,250.10	\$14,000.00	\$15,600.00
Total Administration Revenue	\$1,902,011.17	\$1,635,753.26	\$1,691,365.00
<u>EXPENSE</u>			
60000 SALARIES & WAGES	\$420,161.29	\$450,000.00	\$435,000.00
61000 EMPLOYEE BENEFITS	\$211,147.12	\$195,000.00	\$226,200.00
61079 EDUCATION, ACCREDITATION	\$1,649.00	\$2,000.00	\$2,000.00
61089 PROFESSIONAL MEMBERSHIPS	\$1,096.00	\$600.00	\$600.00
62000 SUPPLIES	\$4,015.78	\$4,000.00	\$4,500.00
62010 POSTAGE	\$1,543.19	\$1,500.00	\$1,500.00
62090 COMPUTER SERVICES	\$19,491.45	\$9,600.00	\$15,000.00
62130 OUTSIDE WEB SUPPORT	\$3,639.00	\$5,000.00	\$6,500.00
62140 SOFTWARE PURCHASE	\$3,204.48	\$1,500.00	\$2,500.00
62280 INSURANCE	\$6,606.00	\$10,000.00	\$9,000.00
62310 PHOTOCOPY	\$1,162.51	\$500.00	\$1,300.00
62320 MISCELLANEOUS	\$469.52	\$250.00	\$0.00
62340 CREDIT CARD MERCHANT FEES	\$509.86	\$500.00	\$500.00
62360 DIRECT TELEPHONE EXPENSE	\$5,650.40	\$5,000.00	\$6,300.00
62370 CELL PHONE EXPENSE	\$1,643.32	\$1,750.00	\$1,750.00
62410 MARKETING/ADVERTISING	\$0.00	\$250.00	\$250.00
66000 EQUIPMENT PURCHASE	\$15,247.29	\$8,000.00	\$10,000.00
68200 WEB/VIDEO CONFERENCE	\$25,433.93	\$22,500.00	\$27,000.00
72000 CONSULTANT SERVICES	\$10,534.99	\$20,000.00	\$10,000.00
74000 STAFF TRAVEL	\$3,966.85	\$5,000.00	\$5,000.00
78050 PRINTING	\$206.63	\$500.00	\$500.00
80000 LEGAL SERVICES	\$21,402.00	\$33,000.00	\$25,000.00
85000 RENT	\$31,425.72	\$31,932.97	\$31,000.00
91010 INDIRECT COST	\$79,091.66	\$80,838.30	\$82,140.00
Total Administration Expenditures	\$869,297.99	\$889,221.27	\$903,540.00
<u>OTHER EXPENSE</u>			
11356 Executive Committee Meetings	\$28,342.43	\$10,000.00	\$20,000.00
11363 Annual Meeting	\$173,254.23	\$200,000.00	\$175,000.00
11364 Compliance Committee	\$72.00	\$5,000.00	\$1,000.00
11365 Finance Committee	\$46.28	\$1,000.00	\$500.00
11366 Rules Committee	\$20,522.94	\$20,000.00	\$20,000.00
11367 Technology Committee	\$276.87	\$5,000.00	\$1,000.00
11368 Training/Education Committee	\$13,320.57	\$10,000.00	\$5,000.00
11371 DCA Liaison Committee	\$880.94	\$1,000.00	\$1,000.00
11372 Annual Report	\$2,310.00	\$4,000.00	\$3,000.00
11569 DCA Training Institute	\$0.00	\$0.00	\$0.00
11373 Shop ICAOS	-\$206.19	\$0.00	\$0.00
11352 Defense Litigation	\$1,391.45	\$10,000.00	\$10,000.00
11354 ICOTS	\$509,125.53	\$410,000.00	\$410,000.00
Long-term Investment Fund	\$225,000.00	\$90,000.00	\$90,000.00
Other Indirect Cost	\$58,376.13	\$54,275.00	\$51,325.00
Total Other Expense	\$1,032,713.18	\$820,275.00	\$787,825.00
Total Commission Expenses	\$1,902,011.17	\$1,709,496.27	\$1,691,365.00



Information and Technology Committee Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

**FROM: Gary Roberge, Chair, Information and Technology Committee and Commissioner,
State of Connecticut**

The Information and Technology Committee met by telephone and WebEx conference five times since last year's Annual Business Meeting.

The Information and Technology Committee consists of 12 members, including six commissioners and six ex-officio members. Commissioners include Gary Roberge – Chair (CT), Nancy Ware – Vice Chair (DC), Chris Norman (AL), Sheila Sharp (AR), Charles Placek (ND), and Michelle Buscher (IL). Ex-officio members include Natalie Latulippe (CT), Matthew Billinger (KS), John Gusz (NJ), Shawn Arruti (NV), Felix Rosa (NY), and Julie Lohman (VA).

Following are highlights of the activities of the Technology Committee for the 2015 fiscal year.

Fusion Center Data Exchange Project

The American Probation and Parole Association (APPA), SEARCH, and the state fusion centers of New York continue to run weekly exports of successful compact transfers. The state fusion center in Georgia joined the project and receives weekly exports of successful compact transfers. The Wisconsin DOJ signed an MOU to join the data-sharing project and will begin receiving weekly exports as well. APPA is continuing to promote the success of the fusion project to other state centers, which should ultimately result in additional fusion center partnerships.

FBI NDex Data Sharing

The National Office began working with NDex last year on a project to export compact case and offense information to their data center. This year the application was successfully tested and implemented, resulting in an ICOTS web-based service exporting compact data to NDex on a monthly basis.

ICOTS Helpdesk Support

The ICOTS helpdesk received approximately 2,000 ICOTS support tickets throughout the 2015 fiscal year. Helpdesk support tickets decreased more than 23% fiscal year 2014. This reduction in helpdesk support tickets can be directly related to the enhancement implementation regarding creating duplicate offenders and other system fixes in each security release throughout this fiscal year.

ICOTS FY 2015 Enhancement Releases

One of the Technology Committee goals for the 2015 fiscal year was overseeing the implementation of the enhancements that were prioritized, and approved, during the 2014 fiscal year. To that end, the committee and the National Office managed six code releases involving 13 functional enhancements to ICOTS. Some of the most notable enhancements are the ability to link compact action requests to compact activities, nested display of activity history on the offender profile, and reducing the ability to create duplicate offenders.

ICOTS FY 2017 Enhancements

Another goal for the 2015 fiscal year was to continue to update and prioritize the approved ICOTS enhancement requests. The committee conducted a thorough review of the pending enhancement requests and was able to reduce the number of approved enhancements from over 50 to 37 enhancements. Committee members prioritized the remaining 37 enhancements according to the level of importance with regard to system functionality and increased user proficiency. Appriss then documented each enhancement in a formal statement of work and provided price quotes for each enhancement. The committee will continue to review the enhancements to determine and recommend to the Executive Committee which enhancements should be considered for implementation based upon increased system functionality in conjunction with the cost required to complete the work.

ICOTS Security Releases

Appriss is contractually obligated to keep ICOTS in compliance with CJIS security standards. To meet that obligation, they released two security updates to ICOTS during fiscal year 2015. The first release decreased the idle time-out period from two hours to 30 minutes and created a single session limit for user logins. The second release added security questions to the user password reset process and set a notification to state administrators regarding users that are inactive for more than 90 days.

ICOTS Rule Amendments

As you all are aware, fiscal year 2016 is a rules proposal / making year for the commission. Therefore, standing committees have proposed several rule amendments during this past fiscal year that will require modifications to the ICOTS application. The National Office has reviewed the proposed amendments and has requested that Appriss deliver cost estimates for billable hours, which will be required to make those changes. Appriss has committed to completing all developmental work required by approved rule amendments prior to the March 1, 2016 effective date.

External Reports

Usage of the external reports rose from over 13,300 pageviews in fiscal year 2014 to over 20,000 pageviews in fiscal year 2015, an increase of 50%. We believe this significant increase in external reporting is related to more training modules being offered to ICOTS users as well as additional reports that have been added and are available to end users.

Compliance Dashboards

Usage of the compliance dashboards rose from over 1,100 pageviews in fiscal year 2014 to over 3,000 pageviews in fiscal year 2015, an increase of 176%.

Another goal for the 2015 fiscal year was to expand the compliance dashboards. The National Office added two new dashboards in the beginning of the 2015 fiscal year. The first dashboard covers compliance of case closure reply activities. The second dashboard covers compliance of the submission of requested progress report activities.

ICAOS Website

Visits to the website were up over 10% from the previous fiscal year, with over 512,000 visits. Desktop user visits dropped 3.9% with over 355,000 visits, mobile users were up 76% with over 138,000 visits, and tablet users were up 30% with over 17,000 visits. Users on mobile or tablet devices accounted for more than 30% of the visits to the ICAOS website in fiscal year 2015.

The following are goals and challenges the Commission will face in the 2016 fiscal year.

ICOTS Rule Amendments

The Technology Committee will work in conjunction with the National Office to oversee any developments required by approved rule amendments. If rule amendments are adopted, system development will undoubtedly take several months, however we are confident that we can achieve an ICOTS code release prior to the March 1, 2016 effective date.

Approved ICOTS Enhancements

The Technology Committee will continue to work closely with the Executive Committee and the National Office to identify funding for the development of the 37 pending enhancements in fiscal year 2017. The Committee realizes that enhancements to the ICOTS system are costly and resources are limited so we

will continue to identify and recommend only those enhancements that will increase user efficiency and assist our states in providing better supervision services. To that end, in order for any of the approved enhancements to be developed and implemented in fiscal year 2017, funding will have to be appropriated through the budgetary process.

Expanding Compliance Dashboards

The platform behind the compliance dashboards is very flexible and can integrate data from many sources. To take full advantage of the dashboard capability, the Technology Committee and National Office will continue to explore options to provide the commission with the most useful data analysis tools.

Thank you for your attention and continuing support of the Commission's technology projects.

Respectfully submitted,

Gary Roberge

Gary Roberge
Chair, Information and Technology Committee



Training, Education & Public Relations Committee Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

**FROM: Anne L. Precythe, Chair, Training, Education & Public Relations Committee and
Commissioner, State of North Carolina**

Since the inception of ICAOS, the Training Committee continues to improve and expand training efforts to assist states in educating criminal justice professionals involved in Interstate Compact business. As the demand for training grew year after year, particularly after the launch of ICOTS in 2008, time commitment for assisting with training became very time consuming for committee members. This year, the Training Committee established a trainer group to expand state's access to knowledgeable content experts and assist with delivery of rules and ICOTS training. The Training Committee members continue to focus on policy development and fiscal responsibility in delivering training, while the trainer group members deliver the training and assist in curriculum development.

The goals for the Training Committee this year include distinguishing between the Training Committee and trainer group by recognizing trainers with specific content expertise, expanding On-Demand training options with re-design of current modules in an interactive format as well as emphasizing state compact offices' responsibilities to ensure stakeholders are trained on ICAOS Rules and ICOTS. Current training efforts highlight the importance of operationalizing the rules and to "Work the Rules, Don't Let the Rules Work You!" always remembering the purposes of ICAOS to ensure public safety, track offender movement and support offender rehabilitation efforts by providing effective supervision.

Training Committee Members: Anne L. Precythe, Chair (NC); James Parks (VA); Roberta Cohen (NM); Scott McCaffrey (ME); Bob Rodriguez (KY); Chris Moore (GA); Geri Miller-Fox (UT); Sally Reinhardt-Stewart, ex-officio (NE); Tim Strickland, ex-officio (FL)

Trainers: Tim Strickland (FL); Leslie Thomas (NC); Betty Payton (NC); Ernette Griggs (WI); Margaret Thompson (PA); DeAnna Duff (MO); Stephanie Engel (WI); Janice Young (ND); Roberta Cohen (NM); Rose Ann Bisch (MN); Holly Jo Bills-Atkins (NE); Kelly Nelson (CO); Shari Britton (FL); Ruby M. Bledsoe (NV); Shawn Arruti (NV); Judy Mesick (ID); Matthew Reed (PA); Julie Lohman (VA); Miriam Dyson (GA); Lisa Kinard (FL); Jacey Nordmeyer (NE); Matthew Billinger (KS); Dori Ege (AZ)

<u>Training Committee Responsibilities</u>	<u>Trainer Group Membership</u>
<ul style="list-style-type: none"> • Policy development • Ensure training efforts are fiscally responsible • Outline ideas for new curriculum • Ensure training is targeting appropriate audiences • Recognize best practices • Publish Training Bulletins • Recommend Rule amendments/ICOTS changes • Review/provide input on Advisory Opinions 	<ul style="list-style-type: none"> • Content experts with working knowledge of <ul style="list-style-type: none"> ○ Rules ○ ICOTS ○ Examples used within their own state to improve quality of compact activities/communication • If not a Commissioner or DCA, must be recommended by Commissioner or DCA of that state • Present and/or assist with questions during trainings • Assist in curriculum development <ul style="list-style-type: none"> ○ Recommend changes for improving curriculum ○ Review On-Demand modules ○ Provide ideas for new trainings

Looking ahead in FY2016

- Assist in development of training for rule changes including impacts to ICOTS
- Expand compact office/administrator trainings in conjunction with the DCA Liaison Committee
- Support state compact offices' responsibilities to train stakeholders in their state on ICAOS Rules and purpose
- Redesign and expansion of On-Demand training modules integrating ICOTS simulation and interactivity

Respectfully submitted,

Anne L. Precythe

Anne L. Precythe
 Chair, Training, Education & Public Relations Committee



Deputy Compact Administrators Liaison Committee Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

**FROM: Geri Miller-Fox, Chair, Deputy Compact Administrators Liaison Committee and
Commissioner, State of Utah**

Committee Members

Geri Miller-Fox (UT) – Commissioner (DCA Liaison Committee Chair)

Donna Pratt (VT) – DCA (East Region DCA Chair)
Julie Lohman (VA) – DCA (South Region DCA Chair)
Rose Ann Bisch (MN) – DCA (Midwest Region DCA Chair)
Judy Mesick (ID) – DCA (West Region DCA Chair)

Alison Morgan (CO) – Commissioner
Tim Strickland (FL) – DCA
Michelle Buscher (IL) – Commissioner
Joseph Beaman (MI) – DCA
Cathy Gordon (MT) – Commissioner / DCA
Regina Grimes (TX) – DCA
Diann Skiles (WV) – Commissioner
Elizabeth Powell (DC) – DCA

Mission

The DCA Liaison Committee is responsible to act as the liaison between the Commissioners and the Deputy Compact Administrators (DCA). The committee should ensure that communication and feedback

is forwarded appropriately. The Committee identifies and provides training opportunities for the Deputy Compact Administrators.

Goals

The DCA Liaison Committee is working on three goals for this year:

- Mentoring of DCAs
- Training Needs and Ideas
- Communication with Regions, Commissioners, and DCAs

Mentoring

The mission of the mentoring program is to coach, train and counsel new DCAs on the operations of a compact office and to provide guidance to DCAs who need assistance to resolve difficult compliance issues in their state. The mentoring program should encourage active participation in commission and regional activities and collaboration with member states to promote successful strategies and best practices.

- *Participant*: Newly appointed DCA or those needing additional coaching or assistance.
- *Mentor*: The DCA Liaison Committee Regional Chair or another DCA in good standing. Mentors will communicate regularly and offer feedback, guidance and support.
- *Mentoring period*: Typically, one year. Extensions may be granted if needed.
- *Mentoring Introduction*:
 - Commissioners may make a request to have a DCA participate
 - Introductory contact information for mentor will be forwarded
 - Overview of the mentoring process
 - Overview of the National Office and staff roles
 - Explanation of the history of the Interstate Compact Office
 - An ICAOS training and information disc
 - A copy of the Liability White Paper
- *Mentoring Topics*:
 - Mission and vision of the Interstate Commission
 - Structure of the Interstate Compact Office and Leadership
 - Committee structures
 - How to get involved in committees and the value of committees
 - Regional structure
 - Role of the DCA and Commissioners
 - Where to access training
 - Familiarization with ICAOS
 - Familiarization with rules
 - Familiarization with rule making process
 - Familiarization with dispute resolution
 - Fostering positive relationships
 - Developing a state compact office as a communication and training source for partners

- Formal Mentoring:
 - Three individuals are currently participating in formal mentoring.
 - *South Region:* DCAs J. Lohman (VA), R. Grimes (TX), and M. Broks (MD) mentoring DCA Elizabeth Powell (DC).
 - *Midwest Region:* DCA R. Bisch (MN) mentoring DCA Jaycee Nordmeyer (NE).
 - *West Region:* DCA J. Mesick (ID) mentoring DCA Mark Patterson (OR).

Training Needs

DCA Region Chairs have identified the need to provide training to partnering agencies within their local areas. This issue was also identified as a goal for the Training Committee to encourage. It is very important that states facilitate training and communication with local entities involved in the compact process.

DCA Region Chairs are reviewing “best practices” during the DCA Region Meetings in an effort to share strategies that work.

The DCA Liaison Committee has also recognized the need to provide additional training around violation procedures. One example of this committee’s work is a recent meeting where Midwest Region DCA Chair, Rose Ann Bisch (MN) provided case scenarios for the DCAs to review during their meeting. DCAs are encouraged to bring sample cases to discuss during the Region DCA Meetings. This provides great training opportunities for everyone.

Communication

The DCA Liaison Committee is committed to facilitating communication. As part of meeting this goal, the committee establishes DCA Region Chairs who then facilitate regional DCA meetings. These meetings are excellent opportunities to identify concerns and collaborate toward solutions. The DCA Region Chair can then bring these issues to the committee where we can tackle the challenges through a variety of mechanisms, including collaboration with the Executive Committee.

Respectfully submitted,

Geri Miller-Fox

Geri Miller-Fox

Chair, Deputy Compact Administrators Liaison Committee



Compliance Committee Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Jeremiah Stromberg, Chair, Compliance Committee and Commissioner, State of Oregon

Compliance Committee Members

Jeremiah Stromberg, Chair, OR
Mike McAlister, NH
Cathy Gibson-Beltz, NE
Charles Placek, ND
Chris Norman, AL
Ellis McSwain, MO
Genie Powers, LA
Kathleen Graves, KS
Kim Madris, NV

The Compliance Committee is responsible for monitoring compliance of member states with the terms of the Compact and the Commission's rules. In addition, the Committee is responsible for developing appropriate enforcement procedures for the Commission's consideration.

The Committee is pleased to report that the Executive Director was able to resolve all complaints and compliance issues in accordance with the Guidelines for Resolving Compliance Issues Policy (03-2007). There were no issues referred to the Committee this year.

Goals and Objectives

The Committee has set three specific goals for this year:

- Review and update ICAOS Policies
- Implement a compliance process/procedure for handling formal complaints in a fair and consistent manner

- Review compliance trends and patterns and make recommendations for improvements

To that end, the Committee is finalizing a Sanction Matrix to guide the Committee when determining the appropriate response or action when a state has been found in violation of the Compact.

Fiscal Year 2014 & 2015 Compliance Audit Comparison

Nationally, six of the seven compliance audit standards increased. This has resulted in a national average that meets or exceeds the expected results in all categories. This is a promising trend that shows continued growth and progress amongst all states and helps explain why there have not been any complaints or compliance issues that could not be resolved at the Executive Director level.

<u>Standard</u>	<u>2014 National Compliance Average</u>	<u>2015 National Compliance Average</u>
RFRI Reply	96%	97%
Transfer Reply	87.9%	89.8%
Closure Notice	89%	95.8%
Case Closure Replies	89.1%	88.8
Requested Progress Reports	88.9%	95.5%
Annual Progress Report	78.2%	84%
Violation Response	81.5%	83.5%

In fiscal year (FY) 2015, all states were subject to audit on a total of thirteen standards. States that failed four or more standards (including three or more rule standards) were required to provide and successfully complete a corrective action plan addressing the failed standards. At the conclusion of FY2015, it is my pleasure to report that all states required completing a corrective action plan addressing failed audit standards did so successfully. A list of those standards are posted on the Commission website: www.interstatecompact.org.

Respectfully submitted,

Jeremiah Stromberg

Jeremiah Stromberg

Chair, Compliance Committee



Rules Committee Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Jane Seigel, Chair, Rules Committee Report and Commissioner, State of Indiana

Members: Commissioner Dori Ege (AZ); Commissioner Jenny Nimer (FL); Commissioner Chris Moore (GA); Commissioner Bob Maccarone (NY); Commissioner Doug Clark (SD); Commissioner Tracy Hudrlik (WI); Commissioner Dawn Sides (WY); Commissioner Milt Gilliam (OK); Ex-officio members: Compact Administrator Shari Britton (FL); DCA John Gusz (NJ); DCA Jim Ingle (UT); DCA Pat Odell (WY); and DCA Shawn Arruti (NV).

Per Rule 2.109, the Rules Committee continues to solicit proposals through the regions and standing committees. The proposals for this year's Annual Business Meeting include submissions from every region and committee members worked diligently with each region to finalize the language for each proposal as well as provide recommendations for adoption. The Rules Committee met several times via WebEx and had face-to-face meetings in Indianapolis in March and July of 2015. During the meetings, discussions continually arose surrounding the definition of 'significant violation' and retaking. This resulted in the Rules Committee's recommendation for an ad hoc committee to be established for the upcoming year. The recently established Violation Sanctions and Retaking Ad Hoc Committee is charged with providing recommendations and possible rule proposals at the 2016 Annual Business Meeting in Cleveland, Ohio. In addition, the Rules Committee continues to highlight the Commission's purposes of enhanced public safety, cooperation and communication between member states. Part of the presentation at this year's meeting in Oregon, and continued discussions in the upcoming year, will focus on acceptance and management of discretionary cases when an offender does not meet mandatory criteria for transfer.

Respectfully submitted,

Jane Seigel

Jane Seigel
Chair, Rules Committee



General Counsel Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON
OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Richard Masters, General Counsel

General Legal Work:

The General Counsel's Office assists the commission by providing legal guidance to the Interstate Commission and its committees with respect to legal issues that arise in the conduct of their responsibilities under the terms of the Compact, its Bylaws and administrative rules. The provisions of the Compact specifically authorize formal legal opinions concerning the meaning or interpretation of the actions of the Interstate Commission issued through the Executive Director's Office in consultation with the Office of General Counsel. These advisory opinions are made available to state officials who administer the compact for guidance. The General Counsel's office also works with the Commission and its member states to promote consistent application of and compliance with its requirements including the coordination and active participation in litigation concerning its enforcement and rule-making responsibilities.

Since the last Annual Business Meeting, in addition to day-to-day advice and counsel furnished to the Commission's Executive Director, the Executive Committee, the Rules Committee, the Compliance Committee, the Technology Committee and the Interstate Commission, the General Counsel's Office in conjunction with the Executive Director has issued two Advisory Opinions concerning the interpretation and application of various provisions of the compact and its administrative rules and assisted with a number of informal requests for legal guidance from member states. The Advisory Opinions are public record and are available at the website of the Commission.

Judicial training concerning the Compact and its administrative rules has also been provided in a number of states including Connecticut, New Mexico, and Hawaii under the auspices of the ICAOS Training Committee and the General Counsel. Other activities included assisting in the updates to the 'On-Demand' Judicial Training Modules now available on the ICAOS website, assisting in the update of the ICAOS Bench Book and review and update of Judicial training and New Commissioner training materials as well as Parole and Probation Officer legal and liability training modules used for both WebEx and live training sessions.

In addition, the General Counsel has assisted the Compliance Committee, the Executive Committee and Executive Committee Workgroup in several matters pertaining to investigation, compliance, and enforcement responsibilities under the compact.

Litigation Matters:

ICAOS V. State of California, U.S. Dist. Ct., Eastern Dist. of KY,
Case No. 5:13-cv-00175-KSF

This was an enforcement action filed by the Commission on June 10, 2013 with respect to the failure of the State of California to comply with various provisions of the Compact and its administrative rules requiring investigation and response to requests for transfers of supervised offenders to California from other compact member states as well as transmission of required information concerning compact offenders transferring to California from other compact member states and from California to other compact member states.

As announced at the 2014 ICAOS Annual Business Meeting a settlement agreement was reached with the State of California and subsequent to that meeting the U.S. District Court for the Eastern District of Kentucky, at Lexington, voluntarily dismissed the case with the entry of its order on September 2, 2014.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Masters". The signature is written in a cursive style with a horizontal line at the end.

Richard Masters,
General Counsel



Ex-officio Victims' Representative Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

**ANNUAL BUSINESS MEETING
PORTLAND, OREGON**

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Pat Tuthill, Ex-officio Victims' Representative

ICOTS VINEWatch National Automated Victim Notification System

- In February 2015 an ICOTS VINEWatch webinar was conducted by Suzanne Elwell and Lydia Newlin from the Minnesota Department of Public Safety with VINE Administrators.
- Observations from webinar and participants indicate there is a need for more coordination between Appriss, ICAOS, and state users to increase participation.
- Nine participated in Webinar.

Outreach

- Conduct another Webinar
- At the next VINE Advisory Committee meeting, schedule a conference that will include Appriss, DCAs or Compact Administrators, and ICAOS staff call to discuss the notification service implementation for states experiencing problems.

ICOTS VINEWatch Statistics as of August 2015

- 19 states have ICOTS VINEWatch accounts.
- 39 separate user accounts, only 16 of which have logged into ICOTS VINEWatch since the start of the year.
- Since its launch, there have been 605 registrations and 548 successful notifications (of all types).

- 551 active registrations. Below is the breakdown. The assumption is states with fewer than three registrations are in testing mode.

State Recap	Type Of Registration Breakdown		
Agency	Phone	Email	Total
Virginia Interstate Compact Office	212	22	234
North Carolina Interstate Compact Office	85	83	168
West Virginia Interstate Compact Office	17	14	31
New Jersey Parole Interstate Compact Office	13	8	21
South Carolina Interstate Compact Office	9	10	19
Vermont Interstate Compact Office	4	6	10
New Mexico Interstate Compact Office	3	6	9
Iowa Interstate Compact Office	5	3	8
Kansas Interstate Compact Office	3	3	6
Kentucky Interstate Compact Office	2	4	6
Delaware Interstate Compact Office	1	3	4
Alabama interstate Compact Office	2	1	3
Florida Interstate Compact Office	1	2	3
Hawaii Probation Interstate Compact Office	0	3	3
Minnesota Interstate Compact Office	1	1	3
Missouri Interstate Compact Office	2	1	3
Nebraska Probation Interstate Compact Office	3	0	3
Arkansas Interstate Compact Office	1	1	2
Georgia Parole Interstate Compact Office	1	1	2
Georgia Probation Interstate Compact Office	0	2	2
Maine Interstate Compact Office	0	2	2
New Jersey Probation Interstate Compact Office	1	1	2
Arizona Parole Interstate Compact Office	0	1	1
Colorado Parole Interstate Compact Office	1	0	1
Connecticut Probation Interstate Compact Office	0	1	1
Maryland Interstate Compact Office	0	1	1
Nebraska Parole Interstate Compact Office	1	0	1
Pennsylvania Interstate Compact Office	0	1	1
Wisconsin Interstate Compact Office	0	1	1
	368	182	551

Criminal Justice and Victim Outreach

- ACA delegate

Presentations

- Florida Smart Justice Annual Summit.
- 2016 New Mexico Victims Annual Conference.
- The Peyton Tuthill Foundation *Hearts of Hope Scholarships* has awarded \$43,000 through 2015 to young homicide survivors. Beginning January 2016 applications will be accepted for the 2016-17 academic years. Spread the word in your state – www.peytontuthill.org.
 - Recipients are from: NM, AR, SC, CA, VA, OH, PA, FL, CT, NY

Respectfully submitted,

Pat Tuthill

Pat Tuthill, Ex-officio Victims' Representative



East Region Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Dale Crook, Chair, East Region and Commissioner, State of Vermont

The East Region Commissioners and Deputy Compact Administrators met six times since the last Annual Business Meeting in Oklahoma City, Oklahoma. The Region had a quorum at five out of six meetings. The Region keeps being consistent with its goals to reach a quorum at each region meeting and increase the region's representation on committees.

East Region Meetings:

- August 26, 2014
- October 8, 2014
- November 6, 2014
- March 10, 2015
- April 16, 2015
- June 10, 2015

Agenda items and topics of discussion at the meetings included:

- Review and discussion on the proposed rule amendments
- Committee reports
- Subcommittee on proposed changes to the violation process in ICOTS
- Tolled sentences
- Rule 5.101-1 and Advisory Opinion 1-2014
- Invoking the Compact
- PSI dissemination
- Interstate Compact on Mental Health
- Standing Committee Membership
- ICAOS trainings
- Compliance Audit
- ICOTS VINEWatch Project

- Sharing Dashboard Information with other States
- Mentor Programs

East Region Commissioners and Deputy Compact Administrators serve on the following Committees:

Executive Committee

- Commissioner Dale Crook (VT)
- Commissioner Gary Roberge (CT)

Compliance Committee

- Commissioner Mike McAlister (NH)

DCA Liaison Committee

- Deputy Compact Administrator Donna Pratt (VT)

Rules Committee

- Commissioner Robert Maccarone (NY)
- Deputy Compact Administrator John Gusz (NJ)

Technology Committee

- Commissioner Gary Roberge (CT)
- Deputy Compact Administrator Natalie Latulippe (CT)
- Deputy Compact Administrator John Gusz (NJ)
- Deputy Compact Administrator Felix Rosa (NY)

Training Committee

- Commissioner Scott McCaffery (ME)

2015 ABM Workgroup

- Commissioner Scott McCaffery (ME)
- Commissioner Raquel Colon (PR)

Justice Reinvestment Workgroup

- Commissioner Mike McAlister (NH)

The East Region has two new commissioners appointed since the last Annual Business Meeting: Alan Grinstead (DE) and Charlene Bonner (MA). The Region has a commissioner vacancy in Pennsylvania.

Respectfully submitted,

Dale Crook

Dale Crook

Chair, East Region



Midwest Region Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Catherine Gibson-Beltz, Chair, Midwest Region and Commissioner, State of Nebraska

The Midwest Region met three times during the past year—August 26, 2014, October 15, 2014, and February 18, 2015. Due to meetings of the Midwest Deputy Compact Administrators (DCAs) held May 7, 2015 and June 8, 2015, in which the 2015 Rules Amendment proposals were discussed, it was determined another meeting of the Midwest Region would not be scheduled prior to the Annual Business Meeting.

During the first meeting on August 26, 2014, the following Region goals were established:

- Meetings with pizzazz
- Emerging Trends in Midwest—topic to be identified in agenda—members to submit possible topics
- Successes/Recognition
- Training Issues/Training Segment

There was some turnover in commissioners this past year. Allen Godfrey was appointed Commissioner/Compact Administrator for Minnesota filling the vacancy created by Jill Carlson who retired October 1, 2014. Doug Clark was appointed Commissioner for South Dakota, replacing Ed Ligtenberg who retired May 31, 2015. John Rubitschun, Michigan's Commissioner/Compact Administrator, retired August 11, 2015 with Russ Marlan appointed as his replacement. In addition, there were a few changes in the role of Deputy Compact Administrators within the Midwest Region—Robert Champion, Indiana's Probation Deputy Compact Administrator took another position in the Judicial Center and was replaced by Turran Blazier. Kari Rumbaugh, Nebraska's Probation Deputy Compact Administrator left the Compact Office for a promotion within Probation Administration's Juvenile Division and Jacey Nordmeyer was selected as her replacement.

The Midwest Region continues to be well represented at the national level—Sara Andrews (OH) is Chair of the Executive Committee, Charles Lauterbach (IA) is Treasurer and Finance Committee Chair, Jane Seigel (IN) is the Rules Committee Chair, and Cathy Gibson-Beltz (NE) is the Midwest Region Chair. The Midwest Region also has numerous other Commissioners and Deputy Compact Administrators who actively serve on committees and workgroups of the Commission. It is through the involvement of these individuals that the Commission is able to accomplish all that it does.

I am pleased to report that the Midwest Region submitted a 2015 Rule Amendment proposal affecting Rule 4.111 on Offender requesting return to the sending state. If adopted, the amendment would clarify that a sending state assumes responsibility for supervision of an offender granted reporting instructions upon the offender's departure from the receiving state. The amendment would require a Notice of Arrival be submitted upon the offender's return to the sending state.

A number of the Midwest states reported compliance audits by the Commission during the past year. It is through these audits that states are able to not only identify areas for improvement, but those areas in which they are doing well.

Member states within the Midwest Region reported trainings within their states during the year in which they were categorized as Sheriff's Office training, training of jail administrators, training in counties, taking the training on the road, or working with staff in the field. The ongoing training of stakeholders within our states is necessary to ensure an effective Interstate Compact.

A number of Midwest Region states have shared information nationally this past year in an effort to assist other states. Ohio shared its Interstate Compact Bench Card for Municipal Courts, which was created to educate municipal court judges and is identified as Best Practice 1-2015. North Dakota made available three violation report guidelines, which were developed to assist staff. It is appreciated that states are willing to share with others across the country.

Respectfully submitted,

Catherine Gibson-Beltz

Catherine Gibson-Beltz

Chair, Midwest Region



West Region Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING

PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Anmarie Aylward, Chair, West Region and Commissioner, State of Washington

Chairwoman and Members of the Commission:

On behalf of the West Region, I present this report regarding the Region's work and activities since the 2014 Annual Business Meeting.

August 26, 2014, ABM Oklahoma City, Oklahoma met in person with 12 commissioners in attendance (one not in attendance) and 15 DCAs and guests. After state updates we discussed strategy for rule proposals and sharing dashboard information.

October 23, 2014, met via WebEx with 9 commissioners in attendance with four commissioners not in attendance. We also benefited by the inclusion of 13 guests primarily DCAs from throughout the region as well as the much appreciated National Office staff.

The West region had lively discussion of rule proposals and moved six rule proposals forward to the Rules Committee.

March 11, 2015, met via WebEx with ten commissioners in attendance (three not in attendance). We had eight guests as well as the National Office staff. Discussion and review of state status as well as discussion and update of the Justice Reinvestment Work group.

April 13, 2015, met via WebEx with 9 commissioners in attendance (four not in attendance) and 13 guests primarily DCAs from the region. We also were benefitted by having the National Office staff on the WebEx.

We discussed feedback from the Rules Committee and multiple changes to previous rule proposals.

August 13, 2015, met via WebEx with 12 commissioners in attendance (one commissioner not in attendance). We had seven guests primarily DCAs and the National Office staff. We once again reviewed, withdrew, changed, and passed rule proposals to be discussed at the ABM.

West Region Commissioners, Deputy Compact Administrators serve on the following committees:

Compliance Committee

Commissioner, Jeremiah Stromberg (OR) [chair]
Commissioner, Kim Madris (NV)

DCA Liaison Committee

Commissioner, Geri Miller-Fox (UT) [chair]
Commissioner, Alison Morgan (CO)
Commissioner, Cathy Gordon (MT)

DCA, Judy Mesick (ID) [West Region DCA Chair]
DCA, Shawn Arruti (NV)
DCA, Jim Ingle (UT)
DCA, Patricia Odell (WY)

Executive Committee

Commissioner, Jeremiah Stromberg (OR)
Commissioner, Geri Miller-Fox (UT)
Commissioner, Anmarie Aylward (WA)

Rules Committee

Commissioner, Dori Ege (AZ)
Commissioner, Dawn Sides (WY)

Technology Committee

DCA Shawn Arruti (NV)

Training Committee

Commissioner, Roberta Cohen (NM)
Commissioner, Geri Miller-Fox (UT)

New Ad hoc committee – violation sanctions and retaking ad hoc

Commissioner, Anmarie Aylward (WA)

Respectfully submitted,

Anmarie Aylward

Anmarie Aylward

Chair, West Region



South Region Report

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

ANNUAL BUSINESS MEETING
PORTLAND, OREGON

OCTOBER 7, 2015

TO: Commissioners of the Interstate Commission for Adult Offender Supervision

FROM: Chris Moore, Chair, South Region and Commissioner, State of Georgia

Since last year's Annual Business Meeting in Oklahoma City, the South Region has met four times via WebEx with a quorum present at each meeting. On October 4, 2014, Chris Moore was elected to serve as Region Chair.

The Region met again on November 18, 2014. During that meeting, DCAs Jenna James (GA) and Elizabeth Powell (DC), and Commissioner Nancy Ware (DC) volunteered to participate with the ABM Workgroup. Florida presented two rule proposals for consideration and after discussion, decided to withdraw both proposals.

On January 28, 2015, the Region met to consider rule proposals from Georgia and Virginia. The proposal from Virginia was sent to the Rules Committee and Georgia's proposal died on the floor.

The Region last met on April 14, 2015 to consider an alternative proposal from the Rules Committee in place of the original proposal submitted by the South Region. After discussion, the Region accepted the alternative version with modifications and agreed to withdraw the original version.

The South Region has only one vacant commissioner position, in Texas. The following Commissioners have been appointed since last year's ABM.

- Commissioner Judith Sachwald, MD
- Commissioner Christy Gutherz, MS
- Commissioner Jerry Adger, SC
- Commissioner Diann Skiles, WV

South Region Commissioners, Deputy Compact Administrators, and the Victim's Advocate serve on the following Committees:

Executive Committee

Commissioner, Chris Norman, AL – Vice Chair
Commissioner, Ann Precythe, NC – Training Committee Chair
Commissioner, Chris Moore, GA – South Region Chair
Victim's Advocate, Pat Tuthill, FL

Rules Committee

Compact Administrator, Shari Britton, FL
Commissioner, Jenny Nimer, FL
Commissioner, Chris Moore, GA

Compliance Committee

Commissioner, Chris Norman, AL
Commissioner, Genie Powers, LA
Commissioner, Ellis McSwain, MO

Finance

Commissioner, Bobby Straughter, TN
DCA, Debbie Duke, TN
Commissioner, Shelia Sharp, AR
Commissioner, Christy Gutherz, MS

Technology Committee

Commissioner, Nancy Ware, DC – Vice Chair
Commissioner, Chris Norman, AL
Commissioner, Shelia Sharp, AR
DCA, Julie Lohman, VA

Training Committee

Commissioner, Anne Precythe, NC – Chair
Commissioner, Chris Moore, GA
Commissioner, Bob Rodriguez, KY
Commissioner, Judith Sachwald, MD
Commissioner, James Parks, VA
DCA, Timothy Strickland, FL

DCA Liaison Committee

Commissioner, Diann Skiles, WV
DCA, Julie Lohman, VA – South Region DCA Chair
DCA, Regina Grimes, TX
DCA, Timothy Strickland, FL
DCA, Elizabeth Powell, DC

Respectfully submitted,

Chris Moore

Chris Moore
Chair, South Region

INTERSTATE COMPACT FOR THE SUPERVISION OF ADULT OFFENDERS

PREAMBLE

- Whereas: The interstate compact for the supervision of Parolees and Probationers was established in 1937, it is the earliest corrections “compact” established among the states and has not been amended since its adoption over 62 years ago;

- Whereas: This compact is the only vehicle for the controlled movement of adult parolees and probationers across state lines, and it currently has jurisdiction over more than a quarter of a million offenders;

- Whereas: The complexities of the compact have become more difficult to administer, and many jurisdictions have expanded supervision expectations to include currently unregulated practices such as victim input, victim notification requirements and sex offender registration;

- Whereas: After hearings, national surveys, and a detailed study by a task force appointed by the National Institute of Corrections, the overwhelming recommendation has been to amend the document to bring about an effective management capacity that addresses public safety concerns and offender accountability;

- Whereas: Upon the adoption of this Interstate Compact for Adult Offender Supervision, it is the intention of the legislature to repeal the previous Interstate Compact for the Supervision of Parolees and Probationers on the effective date of this Compact.

Be it enacted by the General Assembly (Legislature) of the state of _____:

Short title: This Act may be cited as The Interstate Compact for Adult Offender Supervision.

ARTICLE I

PURPOSE

The compacting states to this Interstate Compact recognize that each state is responsible for the supervision of adult offenders in the community who are authorized pursuant to the Bylaws and Rules of this compact to travel across state lines both to and from each compacting state in such a manner as to track the location of offenders, transfer supervision authority in an orderly and efficient manner, and when necessary return offenders to the originating jurisdictions. The compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C. Section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime. It is the purpose of this compact and the Interstate Commission created hereunder, through means of joint and cooperative action among the compacting states: to provide the framework for the promotion of public safety and protect the rights of victims through the control and regulation of the interstate movement of offenders in the community; to provide for the effective tracking, supervision, and rehabilitation of these offenders by the sending and receiving states; and to equitably distribute the costs, benefits and obligations of the compact among the compacting states. In addition, this compact will: create a Interstate Commission which will establish uniform procedures to manage the movement between states of adults placed under community supervision and released to the community under the jurisdiction of courts, paroling authorities, corrections or other criminal justice agencies which will promulgate rules to achieve the purpose of this compact; ensure an opportunity for input and timely notice to victims and to jurisdictions where defined offenders are authorized to travel or to relocate across state lines; establish a system of uniform data collection, access to information on active cases by authorized criminal justice officials, and regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators; monitor compliance with rules governing interstate movement of offenders and initiate interventions to address and correct non-compliance; and coordinate training and education regarding regulations of interstate movement of offenders for officials involved in such activity.

The compacting states recognize that there is no “right” of any offender to live in another state and that duly accredited officers of a sending state may at all times enter a receiving state and there apprehend and retake any offender under supervision subject to the provisions of this compact and Bylaws and Rules promulgated hereunder. It is the policy of the compacting states that the activities conducted by the Interstate Commission created herein are the formation of public policies and are therefore public business.

ARTICLE II

DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

- **“Adult”** means both individuals legally classified as adults and juveniles treated as adults by court order, statute, or operation of law.
- **“By –laws”** mean those by-laws established by the Interstate Commission for its governance, or for directing or controlling the Interstate Commission’s actions or conduct.
- **“Compact Administrator”** means 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.
- **“Compacting state”** means any state which has enacted the enabling legislation for this compact.
- **“Commissioner”** means the voting representative of each compacting state appointed pursuant to Article III of this compact.
- **“Interstate Commission”** means the Interstate Commission for Adult Offender Supervision established by this compact.
- **“Member”** means the commissioner of a compacting state or designee, who shall be a person officially connected with the commissioner.

- **“Non Compacting state”** means any state which has not enacted the enabling legislation for this compact.
- **“Offender”** means an adult placed under, or subject, to supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies.
- **“Person”** means any individual, corporation, business enterprise, or other legal entity, either public or private.
- **“Rules”** means acts of the Interstate Commission, duly promulgated pursuant to Article VIII of this compact, substantially affecting interested parties in addition to the Interstate Commission, which shall have the force and effect of law in the compacting states.
- **“State”** means a state of the United States, the District of Columbia and any other territorial possessions of the United States.
- **“State Council”** means the resident members of the State Council for Interstate Adult Offender Supervision created by each state under Article III of this compact.

ARTICLE III

THE COMPACT COMMISSION

The compacting states hereby create the “Interstate Commission for Adult Offender Supervision.”

The Interstate Commission shall be a body corporate and joint agency of the compacting states.

The Interstate Commission shall have all the responsibilities, powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this compact.

The Interstate Commission shall consist of Commissioners selected and appointed by resident members of a State Council for Interstate Adult Offender Supervision for each state.

In addition to the Commissioners who are the voting representatives of each state, the Interstate Commission shall include individuals who are not commissioners but who are members of

interested organizations; such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general and crime victims. All non-commissioner members of the Interstate Commission shall be ex-officio (nonvoting) members. The Interstate Commission may provide in its by-laws for such additional, ex-officio, non-voting members as it deems necessary.

Each compacting state represented at any meeting of the Interstate Commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the by-laws of the Interstate Commission.

The Interstate Commission shall meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of 27 or more compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.

The Interstate Commission shall establish an Executive Committee which shall include commission officers, members and others as shall be determined by the By-laws. The Executive Committee shall have the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session, with the exception of rulemaking and/or amendment to the Compact. The Executive Committee oversees the day-to-day activities managed by the Executive Director and Interstate Commission staff; administers enforcement and compliance with the provisions of the compact, its by-laws and as directed by the Interstate Commission and performs other duties as directed by Commission or set forth in the By-laws.

ARTICLE IV

THE STATE COUNCIL

Each member state shall create a State Council for Interstate Adult Offender Supervision which shall be responsible for the appointment of the commissioner who shall serve on the Interstate Commission from that state. Each state council shall appoint as its commissioner the Compact Administrator from that state to serve on the Interstate Commission in such capacity under or

pursuant to applicable law of the member state. While each member state may determine the membership of its own state council, its membership must include at least one representative from the legislative, judicial, and executive branches of government, victims groups and compact administrators. Each compacting state retains the right to determine the qualifications of the Compact Administrator who shall be appointed by the state council or by the Governor in consultation with the Legislature and the Judiciary. In addition to appointment of its commissioner to the National Interstate Commission, each state council shall exercise oversight and advocacy concerning its participation in Interstate Commission activities and other duties as may be determined by each member state including but not limited to, development of policy concerning operations and procedures of the compact within that state.

ARTICLE V

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The Interstate Commission shall have the following powers:

- To adopt a seal and suitable by-laws governing the management and operation of the Interstate Commission
- To promulgate rules which shall have the force and effect of statutory law and shall be binding in the compacting states to the extent and in the manner provided in this compact.
- To oversee, supervise and coordinate the interstate movement of offenders subject to the terms of this compact and any by-laws adopted and rules promulgated by the compact commission.
- To enforce compliance with compact provisions, Interstate Commission rules, and by-laws, using all necessary and proper means, including but not limited to, the use of judicial process.
- To establish and maintain offices.
- To purchase and maintain insurance and bonds
- To borrow, accept, or contract for services of personnel, including, but not limited to, members and their staffs.

- To establish and appoint committees and hire staff which it deems necessary for the carrying out of its functions including, but not limited to, an executive committee as required by Article III which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.
- To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to, among other things, conflicts of interest, rates of compensation, and qualifications of personnel.
- To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of same.
- To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.
- To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.
- To establish a budget and make expenditures and levy dues as provided in Article X of this compact.
- To sue and be sued.
- To provide for dispute resolution among Compacting States.
- To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.
- To report annually to the legislatures, governors, judiciary, and state councils of the compacting states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.
- To coordinate education, training and public awareness regarding the interstate movement of offenders for officials involved in such activity.
- To establish uniform standards for the reporting, collecting, and exchanging of data.

ARTICLE VI

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

Section A. By-laws

The Interstate Commission shall, by a majority of the Members, within twelve months of the first Interstate Commission meeting, adopt By-laws to govern its conduct as may be necessary or appropriate to carry out the purposes of the Compact, including, but not limited to:

establishing the fiscal year of the Interstate Commission;

establishing an executive committee and such other committees as may be necessary.

providing reasonable standards and procedures:

(i) for the establishment of committees, and

(ii) governing any general or specific delegation of any authority or function of the Interstate Commission;

providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting;

establishing the titles and responsibilities of the officers of the Interstate Commission;

providing reasonable standards and procedures for the establishment of the personnel policies and programs of the Interstate Commission. Notwithstanding any civil service or other similar laws of any Compacting State, the By-laws shall exclusively govern the personnel policies and programs of the Interstate Commission; and

providing a mechanism for winding up the operations of the Interstate Commission and the equitable return of any surplus funds that may exist upon the termination of the Compact after the payment and/or reserving of all of its debts and obligations;

providing transition rules for "start up" administration of the compact;

establishing standards and procedures for compliance and technical assistance in carrying out the compact.

Section B. Officers and Staff

The Interstate Commission shall, by a majority of the Members, elect from among its Members a chairperson and a vice chairperson, each of whom shall have such authorities and duties as may be specified in the By-laws. The chairperson or, in his or her absence or disability, the vice chairperson, shall preside at all meetings of the Interstate Commission. The Officers so elected shall serve without compensation or remuneration from the Interstate Commission; PROVIDED THAT, subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by them in the performance of their duties and responsibilities as officers of the Interstate Commission.

The Interstate Commission shall, through its executive committee, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, and hire and supervise such other staff as may be authorized by the Interstate Commission, but shall not be a member.

Section C. Corporate Records of the Interstate Commission

The Interstate Commission shall maintain its corporate books and records in accordance with the By-laws.

Section D. Qualified Immunity, Defense and Indemnification

The Members, officers, executive director and employees of the Interstate Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of any actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities; PROVIDED, that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of any such person.

The Interstate Commission shall defend the Commissioner of a Compacting State, or his or her representatives or employees, or the Interstate Commission's representatives or employees, in any civil action seeking to impose liability, arising out of any actual or alleged act, error or

omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties or responsibilities; PROVIDED, that the actual or alleged act, error or omission did not result from intentional wrongdoing on the part of such person.

The Interstate Commission shall indemnify and hold the Commissioner of a Compacting State, the appointed designee or employees, or the Interstate Commission's representatives or employees, harmless in the amount of any settlement or judgement obtained against such persons arising out of any actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties or responsibilities, provided, that the actual or alleged act, error or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

ARTICLE VII

ACTIVITIES OF THE INTERSTATE COMMISSION

The Interstate Commission shall meet and take such actions as are consistent with the provisions of this Compact.

Except as otherwise provided in this Compact and unless a greater percentage is required by the By-laws, in order to constitute an act of the Interstate Commission, such act shall have been taken at a meeting of the Interstate Commission and shall have received an affirmative vote of a majority of the members present.

Each Member of the Interstate Commission shall have the right and power to cast a vote to which that Compacting State is entitled and to participate in the business and affairs of the Interstate Commission. A Member shall vote in person on behalf of the state and shall not delegate a vote to another member state. However, a State Council shall appoint another authorized representative, in the absence of the commissioner from that state, to cast a vote on behalf of the

member state at a specified meeting. The By-laws may provide for Members' participation in meetings by telephone or other means of telecommunication or electronic communication. Any voting conducted by telephone, or other means of telecommunication or electronic communication shall be subject to the same quorum requirements of meetings where members are present in person.

The Interstate Commission shall meet at least once during each calendar year. The chairperson of the Interstate Commission may call additional meetings at any time and, upon the request of a majority of the Members, shall call additional meetings.

The Interstate Commission's By-laws shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure any information or official records to the extent they would adversely affect personal privacy rights or proprietary interests. In promulgating such Rules, the Interstate Commission may make available to law enforcement agencies records and information otherwise exempt from disclosure, and may enter into agreements with law enforcement agencies to receive or exchange information or records subject to nondisclosure and confidentiality provisions.

Public notice shall be given of all meetings and all meetings shall be open to the public, except as set forth in the Rules or as otherwise provided in the Compact. The Interstate Commission shall promulgate Rules consistent with the principles contained in the "Government in Sunshine Act," 5 U.S.C. Section 552(b), as may be amended. The Interstate Commission and any of its committees may close a meeting to the public where it determines by two-thirds vote that an open meeting would be likely to:

- relate solely to the Interstate Commission's internal personnel practices and procedures;
- disclose matters specifically exempted from disclosure by statute;
- disclosure trade secrets or commercial or financial information which is privileged or confidential;
- involve accusing any person of a crime, or formally censuring any person;

- disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
- disclose investigatory records compiled for law enforcement purposes;
- disclose information contained in or related to examination, operating or condition reports prepared by, or on behalf of or for the use of, the Interstate Commission with respect to a regulated entity for the purpose of regulation or supervision of such entity;
- disclose information, the premature disclosure of which would significantly endanger the life of a person or the stability of a regulated entity;
- specifically relate to the Interstate Commission's issuance of a subpoena, or its participation in a civil action or proceeding.

For every meeting closed pursuant to this provision, the Interstate Commission's chief legal officer shall publicly certify that, in his or her opinion, the meeting may be closed to the public, and shall reference each relevant exemptive provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in any meeting and shall provide a full and accurate summary of any actions taken, and the reasons therefor, including a description of each of the views expressed on any item and the record of any rollcall vote (reflected in the vote of each Member on the question). All documents considered in connection with any action shall be identified in such minutes.

The Interstate Commission shall collect standardized data concerning the interstate movement of offenders as directed through its By-laws and Rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements.

ARTICLE VIII

RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

The Interstate Commission shall promulgate Rules in order to effectively and efficiently achieve the purposes of the Compact including transition rules governing administration of the compact during the period in which it is being considered and enacted by the states;

Rulemaking shall occur pursuant to the criteria set forth in this Article and the By-laws and Rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the federal Administrative Procedure Act, 5 U.S.C.S. section 551 et seq., and the Federal Advisory Committee Act, 5 U.S.C.S. app. 2, section 1 et seq., as may be amended (hereinafter "APA"). All Rules and amendments shall become binding as of the date specified in each Rule or amendment.

If a majority of the legislatures of the Compacting States rejects a Rule, by enactment of a statute or resolution in the same manner used to adopt the compact, then such Rule shall have no further force and effect in any Compacting State.

When promulgating a Rule, the Interstate Commission shall:

- publish the proposed Rule stating with particularity the text of the Rule which is proposed and the reason for the proposed Rule;
- allow persons to submit written data, facts, opinions and arguments, which information shall be publicly available;
- provide an opportunity for an informal hearing; and
- promulgate a final Rule and its effective date, if appropriate, based on the rulemaking record.

Not later than sixty days after a Rule is promulgated, any interested person may file a petition in the United States District Court for the District of Columbia or in the Federal District Court where the Interstate Commission's principal office is located for judicial review of such Rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence, (as defined in the APA), in the rulemaking record, the court shall hold the Rule unlawful and set it aside.

Subjects to be addressed within 12 months after the first meeting must at a minimum include:

- notice to victims and opportunity to be heard;
- offender registration and compliance;
- violations/returns;
- transfer procedures and forms;
- eligibility for transfer;
- collection of restitution and fees from offenders;

- data collection and reporting;
- the level of supervision to be provided by the receiving state;
- transition rules governing the operation of the compact and the Interstate Commission during all or part of the period between the effective date of the compact and the date on which the last eligible state adopts the compact;
- Mediation, arbitration and dispute resolution.

The existing rules governing the operation of the previous compact superceded by this Act shall be null and void twelve (12) months after the first meeting of the Interstate Commission created hereunder.

Upon determination by the Interstate Commission that an emergency exists, it may promulgate an emergency rule which shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to said rule as soon as reasonably possible, in no event later than 90 days after the effective date of the rule.

ARTICLE IX
OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION BY THE INTERSTATE
COMMISSION

Section A. Oversight

The Interstate Commission shall oversee the interstate movement of adult offenders in the compacting states and shall monitor such activities being administered in Non-compacting States which may significantly affect Compacting States.

The courts and executive agencies in each Compacting State shall enforce this Compact and shall take all actions necessary and appropriate to effectuate the Compact's purposes and intent. In any judicial or administrative proceeding in a Compacting State pertaining to the subject matter of this Compact which may affect the powers, responsibilities or actions of the Interstate Commission, the Interstate Commission shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes.

Section B. Dispute Resolution

The Compacting States shall report to the Interstate Commission on issues or activities of concern to them, and cooperate with and support the Interstate Commission in the discharge of its duties and responsibilities.

The Interstate Commission shall attempt to resolve any disputes or other issues which are subject to the Compact and which may arise among Compacting States and Non-compacting States.

The Interstate Commission shall enact a By-law or promulgate a Rule providing for both mediation and binding dispute resolution for disputes among the Compacting States.

Section C. Enforcement

The Interstate Commission, in the reasonable exercise of its' discretion, shall enforce the provisions of this compact using any or all means set forth in Article XII, Section B, of this compact.

ARTICLE X

FINANCE

The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

The Interstate Commission shall levy on and collect an annual assessment from each Compacting State to cover the cost of the internal operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, taking into consideration the population of the state and the volume of interstate movement of offenders in each Compacting State and shall promulgate a Rule binding upon all Compacting States which governs said assessment.

The Interstate Commission shall not incur any obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its By-laws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

ARTICLE XI

COMPACTING STATES, EFFECTIVE DATE AND AMENDMENT

Any state, as defined in Article II of this compact, is eligible to become a Compacting State.

The Compact shall become effective and binding upon legislative enactment of the Compact into law by no less than 35 of the States. The initial effective date shall be the later of July 1, 2001, or upon enactment into law by the 35th jurisdiction. Thereafter it shall become effective and binding, as to any other Compacting State, upon enactment of the Compact into law by that State. The governors of Non-member states or their designees will be invited to participate in Interstate Commission activities on a non-voting basis prior to adoption of the compact by all states and territories of the United States.

Amendments to the Compact may be proposed by the Interstate Commission for enactment by the Compacting States. No amendment shall become effective and binding upon the Interstate Commission and the Compacting States unless and until it is enacted into law by unanimous consent of the Compacting States.

ARTICLE XII

WITHDRAWAL, DEFAULT, TERMINATION, AND JUDICIAL ENFORCEMENT

Section A. Withdrawal

Once effective, the Compact shall continue in force and remain binding upon each and every Compacting State; PROVIDED, that a Compacting State may withdraw from the Compact ("Withdrawing State") by enacting a statute specifically repealing the statute which enacted the Compact into law.

The effective date of withdrawal is the effective date of the repeal.

The Withdrawing State shall immediately notify the Chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this Compact in the Withdrawing State.

The Interstate Commission shall notify the other Compacting States of the Withdrawing State's intent to withdraw within sixty days of its receipt thereof.

The Withdrawing State is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including any obligations, the performance of which extend beyond the effective date of withdrawal.

Reinstatement following withdrawal of any Compacting State shall occur upon the Withdrawing State reenacting the Compact or upon such later date as determined by the Interstate Commission

Section B. Default

If the Interstate Commission determines that any Compacting State has at any time defaulted ("Defaulting State") in the performance of any of its obligations or responsibilities under this Compact, the By-laws or any duly promulgated Rules the Interstate Commission may impose any or all of the following penalties:

Fines, fees and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission;

Remedial training and technical assistance as directed by the Interstate Commission;

Suspension and termination of membership in the compact. Suspension shall be imposed only after all other reasonable means of securing compliance under the By-laws and Rules have been exhausted. Immediate notice of suspension shall be given by the Interstate Commission to the

Governor, the Chief Justice or Chief Judicial Officer of the state; the majority and minority leaders of the defaulting state's legislature, and the State Council.

The grounds for default include, but are not limited to, failure of a Compacting State to perform such obligations or responsibilities imposed upon it by this compact, Interstate Commission By-laws, or duly promulgated Rules. The Interstate Commission shall immediately notify the Defaulting State in writing of the penalty imposed by the Interstate Commission on the Defaulting State pending a cure of the default. The Interstate Commission shall stipulate the conditions and the time period within which the Defaulting State must cure its default. If the Defaulting State fails to cure the default within the time period specified by the Interstate Commission, in addition to any other penalties imposed herein, the Defaulting State may be terminated from the Compact upon an affirmative vote of a majority of the Compacting States and all rights, privileges and benefits conferred by this Compact shall be terminated from the effective date of suspension. Within sixty days of the effective date of termination of a Defaulting State, the Interstate Commission shall notify the Governor, the Chief Justice or Chief Judicial Officer and the Majority and Minority Leaders of the Defaulting State's legislature and the state council of such termination.

The Defaulting State is responsible for all assessments, obligations and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.

The Interstate Commission shall not bear any costs relating to the Defaulting State unless otherwise mutually agreed upon between the Interstate Commission and the Defaulting State.

Reinstatement following termination of any Compacting State requires both a reenactment of the Compact by the Defaulting State and the approval of the Interstate Commission pursuant to the Rules.

Section C. Judicial Enforcement

The Interstate Commission may, by majority vote of the Members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the Federal District where the Interstate Commission has its offices to enforce

compliance with the provisions of the Compact, its duly promulgated Rules and By-laws, against any Compacting State in default. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys fees.

Section D. Dissolution of Compact

The Compact dissolves effective upon the date of the withdrawal or default of the Compacting State which reduces membership in the Compact to one Compacting State.

Upon the dissolution of this Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be wound up and any surplus funds shall be distributed in accordance with the By-laws.

ARTICLE XIII

SEVERABILITY AND CONSTRUCTION

The provisions of this Compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the Compact shall be enforceable.

The provisions of this Compact shall be liberally constructed to effectuate its purposes.

ARTICLE XIV

BINDING EFFECT OF COMPACT AND OTHER LAWS

Section A. Other Laws

Nothing herein prevents the enforcement of any other law of a Compacting State that is not inconsistent with this Compact.

All Compacting States' laws conflicting with this Compact are superseded to the extent of the conflict.

Section B. Binding Effect of the Compact

All lawful actions of the Interstate Commission, including all Rules and By-laws promulgated by the Interstate Commission, are binding upon the Compacting States.

All agreements between the Interstate Commission and the Compacting States are binding in accordance with their terms.

Upon the request of a party to a conflict over meaning or interpretation of Interstate Commission actions, and upon a majority vote of the Compacting States, the Interstate Commission may issue advisory opinions regarding such meaning or interpretation.

In the event any provision of this Compact exceeds the constitutional limits imposed on the legislature of any Compacting State, the obligations, duties, powers or jurisdiction sought to be conferred by such provision upon the Interstate Commission shall be ineffective and such obligations, duties, powers or jurisdiction shall remain in the Compacting State and shall be exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are delegated by law in effect at the time this Compact becomes effective.

INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION BYLAWS

ARTICLE I

COMMISSION PURPOSE, FUNCTION AND BY-LAWS

Section 1. Purpose.

Pursuant to the terms of the Interstate Compact for Adult Offender Supervision, (the “Compact”), the Interstate Commission for Adult Offender Supervision (the “Commission”) is established to fulfill the objectives of the Compact, through means of joint cooperative action among the Compacting States: to promote, develop and facilitate safe, orderly, efficient, cost effective and uniform transfer and supervision of adult offenders in the community who are authorized pursuant to the bylaws and rules of this Compact to travel across state lines both to and from each compacting state, and, when necessary, return offenders to the originating jurisdictions.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Compacting States. The Commission’s activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; oversight and coordination of offender transfer and supervision activities in Compacting States; provision of a framework for the promotion of public safety and protection of victims; provision for the effective tracking, supervision, and rehabilitation of these offenders by the sending and receiving states; equitable distribution of the costs, benefits and obligations of the Compact among the Compacting States; enforcement of Commission Rules, Operating Procedures and By-laws; provision for dispute resolution; coordination of training and education regarding the regulation of interstate movement of offenders for officials involved in such activity; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact.

Section 3. By-laws.

As required by the Compact, these By-laws shall govern the management and operations of the Commission. As adopted and subsequently amended, these By-laws shall remain at all times subject to, and limited by, the terms of the Compact.

ARTICLE II

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

MEMBERSHIP

Section 1. Commissioners

The Commission Membership shall be comprised as provided by the Compact. Each Compacting State shall have and be limited to one Member. A Member shall be the Commissioner of the Compacting State. Each Compacting State shall forward the name of its Commissioner to the Commission chairperson. The Commission chairperson shall promptly advise the Governor and State Council for Interstate Adult Supervision of the Compacting State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies.

Section 2. Ex-Officio Members

The Commission membership shall also include individuals who are not commissioners and who shall not have a vote, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general and crime victims. In addition representatives of the National Institute of Corrections, the American Probation and Parole Association and Association of Paroling Authorities International shall be ex-officio members of the Commission.

ARTICLE III

OFFICERS

Section 1. Election and Succession.

The officers of the Commission shall include a chairperson, vice chairperson, secretary and treasurer. The officers shall be duly appointed Commission Members, except that if the Commission appoints an Executive Director, then the Executive Director shall serve as the secretary. Officers shall be elected every two years by the Commission at any meeting at which a quorum is present, and shall serve for two years or until their successors are elected by the Commission. The officers so elected shall serve without compensation or remuneration, except as provided by the Compact.

Section 2. Duties.

The officers shall perform all duties of their respective offices as provided by the Compact and these By-laws. Such duties shall include, but are not limited to, the following:

a. *Chairperson.* The chairperson shall call and preside at all meetings of the Commission and in conjunction with the Executive Committee shall prepare agendas for such meetings, shall make appointments to all committees of the Commission, and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the Commission.

c. *Secretary.* The secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.

d. *Treasurer.* The treasurer, with the assistance of the Commission's executive director, shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission Members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

Section 3. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

Section 4. Vacancies.

Upon the resignation, removal, or death of an officer of the Commission before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to hold office for the unexpired portion of the term of the officer whose position shall so become vacant or until the next regular or special meeting of the Commission at which the vacancy is filled by majority vote of the Commission, whichever first occurs.

ARTICLE IV

COMMISSION PERSONNEL

Section 1. Commission Staff and Offices.

The Commission may by a majority of its Members, or through its executive committee appoint or retain an executive director, who shall serve at its pleasure and who shall act as secretary to the Commission, but shall not be a Member of the Commission. The executive director shall hire and supervise such other staff as may be authorized by the Commission. The executive director shall establish and manage the Commission's office

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

or offices, which shall be located in one or more of the Compacting States as determined by the Commission.

Section 2. Duties of the Executive Director.

As the Commission's principal administrator, the executive director shall also perform such other duties as may be delegated by the Commission or required by the Compact and these By-laws, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the Commission's consideration;
- b. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- c. Implement and monitor administration of all policies programs, and initiatives adopted by Commission;
- d. Prepare draft annual budgets for the Commission's consideration;
- e. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of account;
- f. Assist Commission Members as directed in securing required assessments from the Compacting States;
- g. Execute contracts on behalf of the Commission as directed;
- h. Receive service of process on behalf of the Commission;
- i. Prepare and disseminate all required reports and notices directed by the Commission; and
- j. Otherwise assist the Commission's officers in the performance of their duties under Article III herein.

ARTICLE V

QUALIFIED IMMUNITY, DEFENSE, AND INDEMNIFICATION

Section 1. Immunity.

The Commission, its Members, officers, executive director, and employees shall be immune from suit and liability, either personally or in their official capacity, for any

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Section 2. Defense

Subject to the provisions of the Compact and rules promulgated thereunder, the Commission shall defend the Commissioner of a Compacting State, the Commissioner's representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Section 3. Indemnification.

The Commission shall indemnify and hold the Commissioner of a Compacting State, his or her representatives or employees, or the Commission, and its representatives or employees harmless in the amount of any settlement or judgment obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

ARTICLE VI

MEETINGS OF THE COMMISSION

Section 1. Meetings and Notice.

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings may be scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Commission Members, as provided by the Compact. All Commission Members shall be given written notice of Commission meetings at least thirty (30) days prior to their scheduled dates.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

Final agendas shall be provided to all Commission Members no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Members. All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the federal Government in Sunshine Act, 5 U.S.C. § 552b, including, but not limited to, the following: publication of notice of the meeting at least ten (10) days prior to the meeting in a nationally distributed newspaper or an official newsletter regularly published by or on behalf of the Commission and distribution to interested parties who have requested in writing to receive such notices. A meeting may be closed to the public where the Commission determines by two-thirds (2/3rds) vote of its Members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules.

Section 2. Quorum.

Commission Members representing a majority of the Compacting States shall constitute a quorum for the transaction of business, except as otherwise required in these By-laws. The participation of a Commission Member from a Compacting State in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the Member present is entitled to vote on behalf of the Compacting State represented. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Compacting State represented at any meeting of the Commission by its Member is entitled to one vote. A Member shall vote himself or herself and shall not delegate his or her vote to another Member. Members may participate and vote in meetings of the Commission and its duly authorized committees by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these By-laws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Section 4. Procedure.

Matters of parliamentary procedure not covered by these By-laws shall be governed by Robert's Rules of Order.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

ARTICLE VII

COMMITTEES

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons of each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission. The immediate past chairperson of the Commission shall also serve as an ex-officio member of the executive committee and both the ex-officio victims' representative and immediate past chairperson shall serve for a term of two years. The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Standing Committees.

The Commission may establish such other committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance Committee; Rules Committee; Compliance Committee; Information Technology Committee; and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.

Section 3. Ad hoc Committees.

The Commission may establish ad hoc committees to perform special purposes or functions. Upon creation of an *ad hoc* committee, the chairperson of the Commission shall issue a charge to the committee, describing the committee's duties and responsibilities. The charge shall specify the date by which the *ad hoc* committee shall complete its business and shall specify the means by which the *ad hoc* committee shall report its activities to the Commission.

Section 4. Regional Representatives.

A regional representative of each of the four regions of the United States, Northeastern, Midwestern, Southern, and Western, shall be elected or reelected, beginning with the 2005 annual meeting, by a plurality vote of the commissioners of each region, and shall serve for two years or until a successor is elected by the commissioners of that region. The states and territories comprising each region shall be determined by reference to the regional divisions used by the Council of State Governments.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

ARTICLE VIII

FINANCE

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on July 1 and end on June 30.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the executive director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds, other than receivership assets. The treasurer, through the executive director, shall cause the Commission's financial accounts and reports, including the Commission's system of internal controls and procedures, to be audited annually by an independent certified or licensed public accountant, as required by the Compact, upon the determination of the Commission, but no less frequently than once each year. The report of such independent audit shall be made available to the public and shall be included in and become part of the annual report to the governors, legislatures, and judiciary of the Compacting States.

The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related to the independent audit shall be confidential; provided, that such materials shall be made available: (i) in compliance with the order of any court of competent jurisdiction; (ii) pursuant to such reasonable rules as the Commission shall promulgate; and (iii) to any Commissioner of a Compacting State, or their duly authorized representatives.

Section 4. Public Participation in Meetings.

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

Section 5. Debt Limitations.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules and these By-laws governing the incurring of debt and the pledging of credit.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commission Members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

ARTICLE IX

WITHDRAWAL, DEFAULT, AND TERMINATION

Compacting States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Compacting State as provided by the Compact.

ARTICLE X

ADOPTION AND AMENDMENT OF BY-LAWS

Any By-law may be adopted, amended or repealed by a majority vote of the Members, provided that written notice and the full text of the proposed action is provided to all Commission Members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) majority vote of the Members shall be required for such action.

ARTICLE XI

DISSOLUTION OF THE COMPACT

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Compacting State that reduces membership in the Compact to one Compacting State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force and effect, and the business and affairs of the Commission shall be wound up. Each Compacting State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Compacting States in

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012

good standing at the time of the Compact's dissolution. A Compacting State is in good standing if it has paid its assessments timely.

History: Adopted/effective November 20, 2002; amended/effective November 3, 2003; amended/effective October 27, 2004; amended /effective September 13, 2005; amended/effective October 4, 2006; amended September 14, 2011, effective March 1, 2012



Interstate Commission for Adult Offender Supervision

Ensuring Public Safety for the 21st Century

ICAOS Rules

General information

Effective Date:
March 01, 2014



Introduction

The Interstate Commission for Adult Offender Supervision is charged with overseeing the day-to-day operations of the Interstate Compact for Adult Offender Supervision, a formal agreement between member states that seeks to promote public safety by systematically controlling the interstate movement of certain adult offenders. As a creature of an interstate compact, the Commission is a quasi-governmental administrative body vested by the states with broad regulatory authority. Additionally, the Interstate Compact for Adult Offender Supervision has congressional consent under Article I, § 10 of the United States Constitution and pursuant to Title 4, Section 112(a) of the United States Code.

Through its rulemaking powers, the Commission seeks to achieve the goals of the compact by creating a regulatory system applicable to the interstate movement of adult offenders, provide an opportunity for input and timely notice to victims of crime and to the jurisdictions where offenders are authorized to travel or to relocate, establish a system of uniform data collection, provide access to information on active cases to authorized criminal justice officials, and coordinate regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and criminal justice administrators. The Commission is also empowered to monitor compliance with the interstate compact and its duly promulgated rules, and where warranted to initiate interventions to address and correct noncompliance. The Commission will coordinate training and education regarding regulations of interstate movement of offenders for state officials involved in such activity.

These rules are promulgated by the Interstate Commission for Adult Offender Supervision pursuant to Article V and Article VIII of the Interstate Compact for Adult Offender Supervision. The rules are intended to effectuate the purposes of the compact and assist the member states in complying with their obligations by creating a uniform system applicable to all cases and persons subject to the terms and conditions of the compact. Under Article V, Rules promulgated by the Commission “shall have the force and effect of statutory law and shall be binding in the compacting states[.]” All state officials and state courts are required to effectuate the terms of the compact and ensure compliance with these rules. To the extent that state statutes, rules or policies conflict with the terms of the compact or rules duly promulgated by the Commission, such statutes, rules or policies are superseded by these rules to the extent of any conflict.

To further assist state officials in implementing the Compact and complying with its terms and these rules, the Commission has issued a number of advisory opinions. Additionally, informal opinions can be obtained from the Commission as warranted. Advisory opinions, contact information and other important information, can be found on the Commission’s website at <http://www.interstatecompact.org>.

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Chapter 1 Definitions

Rule 1.101 Definitions

As used in these rules, unless the context clearly requires a different construction-

“Abscond” means to be absent from the offender’s approved place of residence or employment and avoiding supervision.

“Adult” means both individuals legally classified as adults and juveniles treated as adults by court order, statute, or operation of law.

“Application fee” means a reasonable sum of money charged an interstate compact offender by the sending state for each application for transfer prepared by the sending state.

“Arrival” means to report to the location and officials designated in reporting instructions given to an offender at the time of the offender’s departure from a sending state under an interstate compact transfer of supervision.

“By-laws” means those by-laws established by the Interstate Commission for Adult Offender Supervision for its governance, or for directing or controlling the Interstate Commission’s actions or conduct.

“Compact” means the Interstate Compact for Adult Offender Supervision.

“Compact administrator” means the individual in each compacting state appointed under the terms of this compact and 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 for Adult Offender Supervision, and policies adopted by the State Council under this compact.

“Compact commissioner” or “commissioner” means the voting representative of each compacting state appointed under the terms of the Interstate Compact for Adult Offender Supervision as adopted in the member state.

“Compliance” means that an offender is abiding by all terms and conditions of supervision, including payment of restitution, family support, fines, court costs or other financial obligations imposed by the sending state.

“Deferred sentence” means a sentence the imposition of which is postponed pending the successful completion by the offender of the terms and conditions of supervision ordered by the court.

“Detainer” means an order to hold an offender in custody.

“Discharge” means the final completion of the sentence that was imposed on an offender by the sending state.

“Extradition” means the return of a fugitive to a state in which the offender is accused, or has been convicted of, committing a criminal offense, by order of the governor of the state to which the fugitive has fled to evade justice or escape prosecution.

References:

ICAOS Dispute Resolution

2-2004 [Offenders not transferred through the ICAOS must be returned through the extradition clause of the U.S. Constitution]

“Offender” means an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

References:

ICAOS Advisory Opinion

9-2004 [CSL offenders seeking transfer of supervision are subject to ICAOS-New Jersey]

“Plan of supervision” means the terms under which an offender will be supervised, including proposed residence, proposed employment or viable means of support and the terms and conditions of supervision.

“Probable cause hearing” a hearing in compliance with the decisions of the U.S. Supreme Court, conducted on behalf of an offender accused of violating the terms or conditions of the offender’s parole or probation.

“Receiving state” means a state to which an offender requests transfer of supervision or is transferred.

“Relocate” means to remain in another state for more than 45 consecutive days in any 12 month period.

References:

ICAOS Advisory Opinion

4-2012 [‘Relocate’ does not appear to limit the cumulative number of days within which an offender may be permitted to remain in another state to a total of 45 cumulative days during the same 12 month period.]

“Reporting instructions” means the orders given to an offender by a sending or receiving state directing the offender to report to a designated person or place, at a specified date and time, in another state. Reporting instructions shall include place, date, and time on which the offender is directed to report in the receiving state.

“Resident” means a person who—

- (1) has continuously inhabited a state for at least 1 year prior to the commission of the offense for which the offender is under supervision; and
- (2) intends that such state shall be the person’s principal place of residence; and
- (3) has not, unless incarcerated or on active military deployment, remained in another state or states for a continuous period of 6 months or more with the intent to establish a new principal place of residence.

“Resident family” means a parent, grandparent, aunt, uncle, adult child, adult sibling, spouse, legal guardian, or step-parent who--

- (1) has resided in the receiving state for 180 calendar days or longer as of the date of the transfer request; and
- (2) indicates willingness and ability to assist the offender as specified in the plan of supervision.

“Retaking” means the act of a sending state in physically removing an offender, or causing to have an offender removed, from a receiving state.

“Rules” means acts of the Interstate Commission, which have the force and effect of law in the compacting states, and are promulgated under the Interstate Compact for Adult Offender Supervision, and substantially affect interested parties in addition to the Interstate Commission.

“Sending state” means a state requesting the transfer of an offender, or which transfers supervision of an offender, under the terms of the Compact and its rules.

“Sex offender” means an adult placed under, or made subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to register as a sex offender either in the sending or receiving state and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

“Shall” means that a state or other actor is required to perform an act, the non-performance of which may result in the imposition of sanctions as permitted by the Interstate Compact for Adult Offender Supervision, its by-laws and rules.

“Significant violation” means an offender’s failure to comply with the terms or conditions of supervision that, if occurring in the receiving state, would result in a request for revocation of supervision.

“Special condition” means a condition or term that is added to the standard conditions of parole or probation by either the sending or receiving state.

“Subsequent receiving state” means a state to which an offender is transferred that is not the sending state or the original receiving state.

“Substantial compliance” means that an offender is sufficiently in compliance with the terms and conditions of his or her supervision so as not to result in initiation of revocation of supervision proceedings by the sending state.

References:

ICAOS Advisory Opinion

7-2004 [determining “substantial compliance when there are pending charges in a receiving state]

“Supervision” means the oversight exercised by authorities of a sending or receiving state over an offender for a period of time determined by a court or releasing authority, during which time the offender is required to report to or be monitored by supervising authorities, and to comply with regulations and conditions, other than monetary conditions, imposed on the offender at the time of the offender’s release to the community or during the period of supervision in the community.

References:

ICAOS Advisory Opinions

9-2004 [CSL offenders released to the community under the jurisdiction of the Courts]

8-2004 [Suspended sentence requiring payment of monitored restitution]

3-2005 [Requirement to complete a treatment program as a condition of supervision]

3-2010 & 4-2010 [Offenders not subject to supervision by corrections may be subject to ICAOS if reporting to the courts is required.]

“Supervision fee” means a fee collected by the receiving state for the supervision of an offender.

“Temporary travel permit” means, for the purposes of Rule 3.108 (b), the written permission granted to an offender, whose supervision has been designated a “victim-sensitive” matter, to travel outside the supervising state for more than 24 hours but no more than 31 calendar days. A temporary travel permit shall include a starting and ending date for travel.

“Travel permit” means the written permission granted to an offender authorizing the offender to travel from one state to another.

“Victim” means a natural person or the family of a natural person who has incurred direct or threatened physical or psychological harm as a result of an act or omission of an offender.

"Victim-sensitive" means a designation made by the sending state in accordance with its definition of "crime victim" under the statutes governing the rights of crime victims in the sending state. The receiving state shall give notice of offender's movement to the sending state as specified in Rules 3.108 and 3.108-1.

"Violent Crime" means any crime involving the unlawful exertion of physical force with the intent to cause injury or physical harm to a person; or an offense in which a person has incurred direct or threatened physical or psychological harm as defined by the criminal code of the state in which the crime occurred; or the use of a deadly weapon in the commission of a crime; or any sex offense requiring registration.

"Waiver" means the voluntary relinquishment, in writing, of a known constitutional right or other right, claim or privilege by an offender.

"Warrant" means a written order of the court or authorities of a sending or receiving state or other body of competent jurisdiction which is made on behalf of the state, or United States, issued pursuant to statute and/or rule and which commands law enforcement to arrest an offender. The warrant shall be entered in the National Crime Information Center (NCIC) Wanted Person File with a nationwide pick-up radius with no bond amount set.

History: Adopted November 3, 2003, effective August 1, 2004; "Compliance" amended October 26, 2004, effective January 1, 2005; "Resident" amended October 26, 2004, effective January 1, 2005; "Resident family" amended October 26, 2004, effective January 1, 2005; "Substantial compliance" adopted October 26, 2004, effective January 1, 2005; "Supervision" amended October 26, 2004, effective January 1, 2005; "Travel permit" amended September 13, 2005, effective January 1, 2006; "Victim" amended September 13, 2005, effective January 1, 2006; "Relocate" adopted September 13, 2005, effective January 1, 2006; "Compact" adopted September 13, 2005, effective January 1, 2006; "Resident" amended September 13, 2005, effective January 1, 2006; "Relocate" amended October 4, 2006, effective January 1, 2007; "Sex offender" adopted September 26, 2007, effective January 1, 2008.; "Supervision" amended November 4, 2009, effective March 1, 2010. "Warrant" adopted October 13, 2010, effective March 1, 2011; "Violent Crime" adopted October 13, 2010, effective March 1, 2011; "Violent Offender" adopted October 13, 2010, effective March 1, 2011; "Resident" amended September 14, 2011, effective March 1, 2012; "Violent Offender" amended September 14, 2011, effective March 1, 2012; "Abscond" amended August 28, 2013, effective March 1, 2014; "Resident Family" amended August 28, 2013, effective March 1, 2014; "Temporary Travel Permit" amended August 28, 2013, effective March 1, 2014; "Warrant" amended August 28, 2013, effective March 1, 2014; "Violent Offender" repealed August 28, 2013, effective March 1, 2014.

Chapter 2 General Provisions

Rule 2.101 Involvement of interstate compact offices

- (a) Acceptance, rejection or termination of supervision of an offender under this compact shall be made only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (b) All formal written, electronic, and oral communication regarding an offender under this compact shall be made only through the office of a state's compact administrator or the compact administrator's designated deputies.
- (c) Transfer, modification or termination of supervision authority for an offender under this compact may be authorized only with the involvement and concurrence of a state's compact administrator or the compact administrator's designated deputies.
- (d) Violation reports or other notices regarding offenders under this compact shall be transmitted only through direct communication of the compact offices of the sending and receiving states.

History: Adopted November 3, 2003, effective August 1, 2004.

Rule 2.102 Data collection and reporting [Expired; See history]

- (a) As required by the compact, and as specified by the operational procedures and forms approved by the commission, the states shall gather, maintain and report data regarding the transfer and supervision of offenders supervised under this compact.
- (b)
 - (1) Each state shall report to the commission each month the total number of offenders supervised under the compact in that state.
 - (2) Each state shall report to the commission each month the numbers of offenders transferred to and received from other states in the previous month.
 - (3) Reports required under Rule 2.102 (b)(1) and (2) shall be received by the commission no later than the 15th day of each month.
- (c) This Rule will not expire until the Electronic Information System approved by the commission is fully implemented and functional.

History: Adopted November 3, 2003, effective August 1, 2004; amended September 14, 2005, effective December 31, 2005. On November 4, 2009, the commission found that the electronic information system in (c) is fully implemented and functional, and ordered that this rule expire, effective December 31, 2009.

Rule 2.103 Dues formula

- (a) The commission shall determine the formula to be used in calculating the annual assessments to be paid by states. Public notice of any proposed revision to the approved dues formula shall be given at least 30 calendar days prior to the Commission meeting at which the proposed revision will be considered.
- (b) The commission shall consider the population of the states and the volume of offender transfers between states in determining and adjusting the assessment formula.
- (c) The approved formula and resulting assessments for all member states shall be distributed by the commission to each member state annually.
- (d)
 - (1) The dues formula is the—
(Population of the state **divided by** Population of the United States) **plus**
(Number of offenders sent from and received by a state **divided by** Total number of offenders sent from and received by all states) divided by 2.
 - (2) The resulting ratios derived from the dues formula in Rule 2.103 (d)(1) shall be used to rank the member states and to determine the appropriate level of dues to be paid by each state under a tiered dues structure approved and adjusted by the Commission at its discretion.

History: Adopted November 3, 2003, effective August 1, 2004; amended August 28, 2013, effective March 1, 2014.

Rule 2.104 Forms

- (a) States shall use the forms or electronic information system authorized by the commission.
- (b) The sending state shall retain the original forms containing the offender's signature until the termination of the offender's term of compact supervision.
- (c) Section (a) shall not be construed to prohibit written, electronic or oral communication between compact offices.

History: Adopted November 3, 2003, effective August 1, 2004; amended September 26, 2007, effective January 1, 2008; amended November 4, 2009, effective March 1, 2010.

Rule 2.105 Misdemeanants

- (a) A misdemeanor offender whose sentence includes 1 year or more of supervision shall be eligible for transfer, provided that all other criteria for transfer, as specified in Rule 3.101, have been satisfied; and the instant offense includes 1 or more of the following—
- (1) an offense in which a person has incurred direct or threatened physical or psychological harm;
 - (2) an offense that involves the use or possession of a firearm;
 - (3) a 2nd or subsequent misdemeanor offense of driving while impaired by drugs or alcohol;
 - (4) a sexual offense that requires the offender to register as a sex offender in the sending state.

References:

ICAOS Advisory Opinion

- 4-2005 [Misdemeanant offender not meeting criteria of 2.105 may be transferred under Rule 3.101-2, discretionary transfer]
- 7-2006 [There are no exceptions to applicability of (a)(3) based on either the time period between the first and subsequent offense(s) or the jurisdiction in which the convictions occurred]
- 16-2006 [If the law of the sending state recognizes the use of an automobile as an element in an assault offense and the offender is so adjudicated, Rule 2.105 (a)(1) applies]
- 2-2008 [Based upon the provisions of the ICAOS rules, offenders not subject to ICAOS may, depending on the terms and conditions of their sentences, be free to move across state lines without prior approval from the receiving state and neither judges nor probation officers are prohibited by ICAOS from allowing such offenders to travel from Texas to another state]
- 1-2011 [All violations involving the use or possession of a firearm, including hunting, are subject to Compact transfer.]

History: Adopted November 3, 2003, effective August 1, 2004; amended March 12, 2004; amended October 26, 2004, effective January 1, 2005.

Rule 2.106 Offenders subject to deferred sentences

Offenders subject to deferred sentences are eligible for transfer of supervision under the same eligibility requirements, terms, and conditions applicable to all other offenders under this compact. Persons subject to supervision pursuant to a pre-trial release program, bail, or similar program are not eligible for transfer under the terms and conditions of this compact.

References:

ICAOS Advisory Opinions

June 30, 2004 [Determining eligibility should be based on legal actions of a court rather than legal definitions]

6-2005 [Deferred prosecution may be equivalent to deferred sentence if a finding or plea of guilt has been entered and all that is left is for the Court to impose sentence]

History: Adopted November 3, 2003, effective August 1, 2004; amended March 12, 2004; amended October 26, 2004, effective January 1, 2005; amended November 4, 2009, effective March 1, 2010.

Rule 2.107 Offenders on furlough, work release

A person who is released from incarceration under furlough, work-release, or other pre-parole program is not eligible for transfer under the compact.

History: Adopted November 3, 2003, effective August 1, 2004.

Rule 2.108 Offenders with disabilities

A receiving state shall continue to supervise offenders who become mentally ill or exhibit signs of mental illness or who develop a physical disability while supervised in the receiving state.

History: Adopted November 3, 2003, effective August 1, 2004.

Rule 2.109 Adoption of rules; amendment

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Interstate Commission in the following manner.

- (a) Proposed new rules and amendments to existing rules shall be submitted to the Interstate Commission office for referral to the Rules Committee in the following manner:
 - (1) Any Commissioner may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual Commission meeting. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
 - (2) Standing ICAOS Committees may propose rules or rule amendments by a majority vote of that committee.
 - (3) ICAOS Regions may propose rules or rule amendments by a majority vote of members of that region.
- (b) The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Commissioners for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt. Based on the comments made by the Commissioners the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission not later than the next annual meeting falling in an odd-numbered year.
- (c) Prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee not later than 30 calendar days prior to the meeting at which vote on the rule is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
- (d) Each proposed rule or amendment shall state-
 - (1) The place, time, and date of the scheduled public hearing;
 - (2) The manner in which interested persons may submit notice to the Interstate Commission of their intention to attend the public hearing and any written comments; and
 - (3) The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.
- (e) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in

which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Interstate Commission from making a transcript or recording of the public hearing if it so chooses.

- (f) Nothing in this section shall be construed as requiring a separate public hearing on each rule. Rules may be grouped for the convenience of the Interstate Commission at public hearings required by this section.
- (g) Following the scheduled public hearing date, the Interstate Commission shall consider all written and oral comments received.
- (h) The Interstate Commission shall, by majority vote of the commissioners, take final action on the proposed rule or amendment by a vote of yes/no. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (i) Not later than 60 calendar days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Interstate Commission's principal office is located. If the court finds that the Interstate Commission's action is not supported by substantial evidence, as defined in the federal Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Interstate Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
- (j) Upon determination that an emergency exists, the Interstate Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than 90 calendar days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to-
 - (1) Meet an imminent threat to public health, safety, or welfare;
 - (2) Prevent a loss of federal or state funds;
 - (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - (4) Protect human health and the environment.
- (k) The Chair of the Rules Committee may direct revisions to a rule or amendment adopted by the Commission, for purposes of correcting typographical errors, errors in format or grammatical errors. Public notice of any revisions shall be posted on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. For a period of 30 calendar days after posting, the revision is subject to challenge by any commissioner. The revision may be challenged only on grounds that the revision

results in a material change to a rule. A challenge shall be made in writing, and delivered to the Executive Director of the Commission, prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without approval of the commission.

References:

ICAOS Advisory Opinion

3-2006 [No provisions of the compact contemplates that a proposed rule or rule amendment may be officially voted upon at any point in the rulemaking process by anyone other than the duly appointed Commissioner of each state]

History: Adopted November 3, 2003, effective August 1, 2004; amended September 13, 2005, effective September 13, 2005; amended October 4, 2006, effective October 4, 2006; amended September 26, 2007, effective January 1, 2008; amended August 28, 2013, effective March 1, 2014.

Rule 2.110 Transfer of offenders under this compact

- (a) No state shall permit an offender who is eligible for transfer under this compact to relocate to another state except as provided by the Compact and these rules.
- (b) An offender who is not eligible for transfer under this Compact is not subject to these rules and remains subject to the laws and regulations of the state responsible for the offender's supervision.
- (c) Upon violation of section (a), the sending state shall direct the offender to return to the sending state within 15 business days of receiving such notice. If the offender does not return to the sending state as ordered, the sending state shall issue a warrant that is effective in all compact member states, without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.

References:

ICAOS Advisory Opinions

- 3-2004 [Offenders relocating to another state shall not be issued travel permits without the permission of the receiving state as provided by ICAOS rules]
- 9-2006 [States which allow eligible offenders to travel to a receiving state pending investigations are in violation of Rule 2.110 and Rule 3.102. In such circumstances the receiving state may properly reject the request for transfer]
- 2-2008 [The provisions of Rule 2.110 (a) limit the applicability of the ICAOS rules regarding transfer of supervision to eligible offenders who 'relocate' to another state]
- 3-2012 [When an offender's supervision was never transferred to a receiving state under the Compact and no application for transfer or waiver of extradition ever occurred, neither the Compact nor the ICAOS rules apply to this offender who, as a 'fugitive from justice' having absconded from probation in California, must be apprehended and returned under the extradition clause of the U.S. Constitution.]
- 4-2012 ['Relocate' does not appear to limit the cumulative number of days within which an offender may be permitted to remain in another state to a total of 45 cumulative days during the same 12 month period.]

History: Adopted November 3, 2003, effective August 1, 2004; amended September 13, 2005, effective January 1, 2006; amended November 4, 2009, effective March 1, 2010; amended August 28, 2013, effective March 1, 2014.

Chapter 3 Transfer of Supervision

Rule 3.101 Mandatory transfer of supervision

At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer, if the offender:

- (a) has more than 90 calendar days or an indefinite period of supervision remaining at the time the sending state transmits the transfer request; and
- (b) has a valid plan of supervision; and
- (c) is in substantial compliance with the terms of supervision in the sending state; and
- (d) is a resident of the receiving state; or
- (e)
 - (1) has resident family in the receiving state who have indicated a willingness and ability to assist as specified in the plan of supervision; and
 - (2) can obtain employment in the receiving state or has means of support.

References:

ICAOS Advisory Opinions

- 7-2004 [While a sending state controls the decision of whether or not to transfer an offender under the Compact, the receiving state has no discretion as to whether or not to accept the case as long as the offender satisfies the criteria provided in this rule]
- 9-2004 [Upon proper application and documentation for verification of mandatory criteria of Rule 3.101, CSL offenders are subject to supervision under the Compact]
- 7-2005 [All mandatory transfers are subject to the requirement that they be pursuant to a “valid plan of supervision”]
- 8-2005 [The sending state determines if an offender is in substantial compliance. If a sending state has taken no action on outstanding warrants or pending charges the offender is considered to be in substantial compliance]
- 13-2006 [An undocumented immigrant who meets the definition of “offender” and seeks transfer under the Compact is subject to its jurisdiction and would not be a per se disqualification as long as the immigrant establishes the prerequisites of Rule 3.101 have been satisfied]
- 15-2006 [There is no obligation of the sending state to retake when requirements of 3.101 are no longer met]
- 2-2007 [A receiving state is not authorized to deny a transfer of an offender based solely on the fact that the offender intends to reside in Section 8 housing]

1-2010 [ICAOS member states may not refuse otherwise valid mandatory transfers of supervision under the compact on the basis that additional information, not required by Rule 3.107, has not been provided.]

1-2012 [ICAOS opines that persons ‘acquitted’ by reason of insanity under the New Jersey ‘Carter-Krol’ statute are not eligible for interstate transfer of supervision under the Compact.]

History: Adopted November 3, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 13, 2005, effective January 1, 2006; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; amended August 28, 2013, effective March 1, 2014.

Rule 3.101-1 Mandatory reporting instructions and transfers of military, families of military, family members employed, employment transfer, and veterans for medical or mental health services

(a) At the discretion of the sending state, an offender shall be eligible for transfer of supervision to a receiving state under the compact, and the receiving state shall accept transfer for:

(1) *Transfers of military members*- An offender who is a member of the military and has been deployed by the military to another state, shall be eligible for reporting instructions and transfer of supervision.

(2) *Transfer of offenders who live with family who are members of the military*- An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and (e)(2) and who lives with a family member who has been deployed to another state, shall be eligible for reporting instructions and transfer of supervision, provided that the offender will live with the military member in the receiving state.

(3) *Employment transfer of family member to another state*- An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and (e)(2) and whose family member, with whom he or she resides, is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment, shall be eligible for reporting instructions and transfer of supervision, provided that the offender will live with the family member in the receiving state.

(4) *Employment transfer of the offender to another state* – An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and is transferred to another state by their full-time employer, at the direction of the employer and as a condition of maintaining employment shall be eligible for reporting instructions and transfer of supervision.

(5) *Transfers of veterans for medical or mental health services*- An offender who meets the criteria specified in Rules 3.101 (a), (b), & (c) and who is a veteran of the United States military services who is eligible to receive health care through the United States Department of Veterans Affairs, Veterans Health Administration and is referred for medical and/or mental health services by the Veterans Health Administration to a regional Veterans Health Administration

facility in the receiving state shall be eligible for reporting instructions and transfer of supervision provided:

- (A) the sending state provides documentation to the receiving state of the medical and/or mental health referral; and
 - (B) the transfer of supervision will be accepted if the offender is approved for care at the receiving state Veterans Health Administration facility.
- (b) The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.

History: Adopted September 13, 2005, effective January 1, 2006; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; amended November 4, 2009, effective March 1, 2010; amended August 28, 2013, effective March 1, 2014.

Rule 3.101-2 Discretionary transfer of supervision

- (a) A sending state may request transfer of supervision of an offender who does not meet the eligibility requirements in Rule 3.101.
- (b) The sending state must provide sufficient documentation to justify the requested transfer.
- (c) The receiving state shall have the discretion to accept or reject the transfer of supervision in a manner consistent with the purpose of the compact.

References:

ICAOS Advisory Opinions

4-2005 [Offenders not eligible for transfer under the provisions of Rule 2.105 and Rule 3.101 are eligible for transfer of supervision as a discretionary transfer]

8-2006 [Special condition(s) imposed on discretionary cases may result in retaking if the offender fails to fulfill requirements of the condition(s)]

History: Adopted September 13, 2005, effective January 1, 2006.

Rule 3.101-3 Transfer of supervision of sex offenders

- (a) *Eligibility for Transfer*-At the discretion of the sending state a sex offender shall be eligible for transfer to a receiving state under the Compact rules. A sex offender shall not be allowed to leave the sending state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued, by the receiving state. In addition to the other provisions of Chapter 3 of these rules, the following criteria will apply.
- (b) *Application for Transfer*-In addition to the information required in an application for transfer pursuant to Rule 3.107, in an application for transfer of supervision of a sex offender the sending state shall provide the following information, if available, to assist the receiving state in supervising the offender:
- (1) assessment information, including sex offender specific assessments;
 - (2) social history;
 - (3) information relevant to the sex offender's criminal sexual behavior;
 - (4) law enforcement report that provides specific details of sex offense;
 - (5) victim information
 - (A) the name, sex, age and relationship to the offender;
 - (B) the statement of the victim or victim's representative;
 - (6) the sending state's current or recommended supervision and treatment plan.
- (c) *Reporting instructions for sex offenders living in the receiving state at the time of sentencing*-Rule 3.103 applies to the transfer of sex offenders, except for the following:
- (1) The receiving state shall have 5 business days to review the proposed residence to ensure compliance with local policies or laws prior to issuing reporting instruction. If the proposed residence is invalid due to existing state law or policy, the receiving state may deny reporting instructions.
 - (2) No travel permit shall be granted by the sending state until reporting instructions are issued by the receiving state.

References:

ICAOS Advisory Opinions

1-2008 [An investigation in such cases would be largely meaningless without the cooperation of the sending state in providing sufficient details concerning the sex offense in question and a refusal to provide such information so as to allow the receiving state to make a reasonable determination as to whether the proposed residence violates local policies or laws would appear to violate the intent of this rule]

History: Adopted September 26, 2007, effective January 1, 2008; editorial change effective February 17, 2008

Rule 3.102 Submission of transfer request to a receiving state

- (a) Except as provided in sections (c) & (d), and subject to the exceptions in Rule 3.103 and 3.106, a sending state seeking to transfer supervision of an offender to another state shall submit a completed transfer request with all required information to the receiving state prior to allowing the offender to leave the sending state.
- (b) Except as provided in sections (c) & (d), and subject to the exceptions in Rule 3.103 and 3.106, the sending state shall not allow the offender to travel to the receiving state until the receiving state has replied to the transfer request.
- (c) An offender who is employed in the receiving state at the time the transfer request is submitted and has been permitted to travel to the receiving state for the employment may be permitted to continue to travel to the receiving state for the employment while the transfer request is being investigated, provided that the following conditions are met:
 - (1) Travel is limited to what is necessary to report to work, perform the duties of the job and return to the sending state.
 - (2) The offender shall return to the sending state daily during non-working hours, and
 - (3) The Transfer Request shall include notice that the offender has permission to travel to and from the receiving state, pursuant to this rule, while the transfer request is investigated.
- (d) When a sending state verifies an offender is released from incarceration in a receiving state and the offender requests to relocate there and the offender meets the eligibility requirements of Rule 3.101 (a), (b) & (c), the sending state shall request expedited reporting instructions within 2 business days of the notification of the offender's release. The receiving state shall issue the reporting instructions no later than 2 business days. If the proposed residence is invalid due to existing state law or policy, the receiving state may deny reporting instructions.
 - (1) The receiving state shall assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer" and any other forms that may be required under Rule 3.107, and shall transmit these forms to the sending state within 7 business days and mail the original to the sending state.
 - (2) The provisions of Rule 3.106 (b), (c) & (d) apply.

References:

ICAOS Advisory Opinions

3-2004 [Once an application has been made under the Compact, an offender may not travel to the receiving state without the receiving state's permission]

9-2006 [States which allow eligible offenders to travel to a receiving state, without the receiving state's permission, are in violation of Rule 2.110 and 3.102. In such circumstances, the receiving state can properly reject the request for transfer of such an offender]

History: Adopted November 4, 2003, effective August 1, 2004; amended September 26, 2007, effective January 1, 2008; amended November 4, 2009, effective March 1, 2010; amended August 28, 2013, effective March 1, 2014.

Rule 3.103 Reporting instructions; offender living in the receiving state at the time of sentencing

- (a)
- (1) A reporting instructions request for an offender who was living in the receiving state at the time of sentencing shall be submitted by the sending state within 7 business days of the sentencing date or release from incarceration to probation supervision. The sending state may grant a 7 day travel permit to an offender who was living in the receiving state at the time of sentencing. Prior to granting a travel permit to an offender, the sending state shall verify that the offender is living in the receiving state.
 - (2) The receiving state shall issue reporting instructions no later than 2 business days following receipt of such a request from the sending state.
 - (3) The sending state shall ensure that the offender sign all forms requiring the offender's signature under Rule 3.107 prior to granting a travel permit to the offender. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.
 - (4) The sending state shall transmit a departure notice to the receiving state per Rule 4.105.
 - (5) This section is applicable to offenders incarcerated for 6 months or less and released to probation supervision.
- (b) The sending state retains supervisory responsibility until the offender's arrival in the receiving state.
- (c) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (d) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than 15 business days following the granting to the offender of the reporting instructions.
- (e)
- (1) If the receiving state rejects the transfer request for an offender granted reporting instructions, or if the sending state fails to send a completed transfer request by the 15th business day following the granting of reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state within 15 business days of receiving notice of rejection or failure to send a transfer request. The receiving state retains authority to supervise the offender until the offender's directed departure date from the receiving state or issuance of the sending state's warrant.
 - (2) If the offender does not return to the sending state, as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in

all states without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.

References:

ICAOS Advisory Opinions

3-2004 [Rule 3.103 provides an exemption to 3.102 allowing for certain offenders to obtain reporting instructions pending a reply to a transfer request]

1-2006 [Rule 3.103 is not applicable to offenders released to supervision from prison]

3-2007 [If the investigation has not been completed, reporting instructions are required to be issued as provided in Rule 3.103(a). Upon completion of investigation, if the receiving state subsequently denies the transfer on the same basis or upon failure to satisfy any of the other requirements of Rule 3.101, the provisions of Rule 3.103(e)(1) and (2) clearly require the offender to return to the sending state or be retaken upon issuance of a warrant]

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; editorial change effective February 17, 2008; amended August 28, 2013, effective March 1, 2014.

Rule 3.104 Time allowed for investigation by receiving state

- (a) A receiving state shall complete investigation and respond to a sending state's request for an offender's transfer of supervision no later than the 45th calendar day following receipt of a completed transfer request in the receiving state's compact office.
- (b) If a receiving state determines that an offender transfer request is incomplete, the receiving state shall notify the sending state by rejecting the transfer request with the specific reason(s) for the rejection. If the offender is in the receiving state with reporting instructions, those instructions shall remain in effect provided that the sending state submits a completed transfer request within 15 business days following the rejection.

References:

ICAOS Advisory Opinion

5-2006 [45 calendar days is the maximum time the receiving state has under the rules to respond to a sending state's request for transfer]

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 13, 2005, effective June 1, 2009; amended November 4, 2009, effective March 1, 2010; amended August 28, 2013, effective March 1, 2014.

Rule 3.104-1 Acceptance of offender; issuance of reporting instructions

- (a) If a receiving state accepts transfer of the offender, the receiving state's acceptance shall include reporting instructions.
- (b) Upon notice of acceptance of transfer by the receiving state, the sending state shall issue a travel permit to the offender and notify the receiving state of the offender's departure as required under Rule 4.105.
- (c) A receiving state shall assume responsibility for supervision of an offender upon the offender's arrival in the receiving state and shall submit notification of arrival as required under Rule 4.105.
- (d) An acceptance by the receiving state shall be valid for 120 calendar days. If the sending state has not sent a Departure Notice to the receiving state in that time frame, the receiving state may withdraw its acceptance and close interest in the case.
- (e) A receiving state may withdraw its acceptance of the transfer request if the offender does not report to the receiving state by the 5th business day following transmission of notice of departure and shall provide immediate notice of such withdrawal to the sending state.

History: Adopted October 26, 2004, effective August 1, 2004; amended September 13, 2005, effective January 1, 2006; amended October 4, 2006, effective January 1, 2007; amended November 4, 2009, effective March 1, 2010; amended August 28, 2013, effective March 1, 2014.

Rule 3.105 Pre-release transfer request

(a) A sending state may submit a completed request for transfer of supervision no earlier than 120 calendar days prior to an offender's planned release from a correctional facility.

(b) If a pre-release transfer request has been submitted, a sending state shall notify a receiving state:

(1) if the planned release date changes; or

(2) if recommendation for release of the offender has been withdrawn or denied.

(c) A receiving state may withdraw its acceptance of the transfer request if the offender does not report to the receiving state by the 5th business day following the offender's intended date of departure and shall provide immediate notice of such withdrawal to the sending state.

References:

ICAOS Advisory Opinions

5-2005 [A sending state must notify a receiving state if a parolee's release date has been withdrawn or denied]

1-2009 [A sending state may request that a receiving state investigate a request to transfer supervision under the compact prior to the offender's release from incarceration when the offender is subject to a "split sentence" of jail or prison time and release to probation supervision.]

2-2012 [Neither the acceptance of a request for transfer by a receiving state nor approval of reporting instructions can be the basis for either the determination of whether the sending state will release an offender from a correctional facility or the planned release date.]

History: Adopted November 4, 2003, effective August 1, 2004; amended September 14, 2011, effective March 1, 2012; amended August 28, 2013, effective March 1, 2014.

Rule 3.106 Request for expedited reporting instructions

- (a)
 - (1) A sending state may request that a receiving state agree to expedited reporting instructions for an offender if the sending state believes that emergency circumstances exist and the receiving state agrees with that determination. If the receiving state does not agree with that determination, the offender shall not proceed to the receiving state until an acceptance is received under Rule 3.104-1.
 - (2)
 - (A) A receiving state shall provide a response for expedited reporting instructions to the sending state no later than 2 business days following receipt of such a request. The sending state shall transmit a departure notice to the receiving state upon the offender's departure.
 - (B) The sending state shall ensure that the offender signs all forms requiring the offender's signature under Rule 3.107 prior to granting reporting instructions to the offender. Upon request from the receiving state the sending state shall transmit all signed forms within 5 business days.
- (b) A receiving state shall assume responsibility for supervision of an offender who is granted reporting instructions during the investigation of the offender's plan of supervision upon the offender's arrival in the receiving state. The receiving state shall submit an arrival notice to the sending state per Rule 4.105.
- (c) A sending state shall transmit a completed transfer request for an offender granted reporting instructions no later than the 7th business day following the granting to the offender of the reporting instructions.
- (d)
 - (1) If the receiving state rejects the transfer request for an offender granted reporting instructions, or if the sending state fails to send a completed transfer request by the 7th business day following the granting of reporting instructions, the sending state shall, upon receiving notice of rejection or upon failure to timely send a required transfer request, direct the offender to return to the sending state within 15 business days of receiving notice of rejection or failure to send a transfer request. The receiving state retains authority to supervise the offender until the offender's directed departure date from the receiving state or issuance of the sending state's warrant.
 - (2) If the offender does not return to the sending state as ordered, the sending state shall initiate the retaking of the offender by issuing a warrant that is effective in all states without limitation as to specific geographic area, no later than 10 business days following the offender's failure to appear in the sending state.

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; amended August 28, 2013, effective March 1, 2014.

Rule 3.107 Transfer request

- (a) A transfer request for an offender shall be transmitted through the electronic information system authorized by the commission and shall contain:
- (1) transfer request form;
 - (2) A narrative description of the instant offense in sufficient detail to describe the circumstances, type and severity of offense and whether the charge has been reduced at the time of imposition of sentence;
 - (3) photograph of offender;
 - (4) conditions of supervision;
 - (5) any orders restricting the offender's contact with victims or any other person;
 - (6) any known orders protecting the offender from contact with any other person;
 - (7) information as to whether the offender is subject to sex offender registry requirements in the sending state along with supportive documentation;
 - (8) pre-sentence investigation report, unless distribution is prohibited by law or it does not exist;
 - (9) information as to whether the offender has a known gang affiliation, and the gang with which the offender is known to be affiliated;
 - (10) supervision history, if the offender has been on supervision for more than 30 calendar days at the time the transfer request is submitted;
 - (11) information relating to any court-ordered financial obligations, including but not limited to, fines, court costs, restitution, and family support; the balance that is owed by the offender on each; and the address of the office to which payment must be made.
 - (12) summary of prison discipline and mental health history during the last 2 years, if available, unless distribution is prohibited by law.
- (b) The original signed Offender Application for Interstate Compact Transfer shall be maintained in the sending state. A copy of the signed Offender Application for Interstate Compact Transfer shall be attached to the transfer request.
- (c) Additional documents, necessary for supervision in the receiving state, such as the Judgment and Commitment, may be requested from the sending state following acceptance of the offender. The sending state shall provide the documents within no more than 30 calendar days from the date of the request, unless distribution is prohibited by law or a document does not exist.

References:

ICAOS Advisory Opinions

5-2005 [For paroling offenders a release date is to be required for the transfer application]

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 13, 2005 (to be effective upon the implementation of electronic system; date to be determined by Executive Committee), effective October 6, 2008; amended September 26, 2007, effective January 1, 2008; amended November 4, 2009, effective March 1, 2010; amended October 13, 2010, effective March 1, 2011; amended September 14, 2011, effective March 1, 2012; amended August 28, 2013, effective March 1, 2014.

Rule 3.108 Victim notification

- (a) *Notification to victims upon transfer of offenders-* Within 1 business day of the issuance of reporting instructions or acceptance of transfer by the receiving state, the sending state shall initiate notification procedures of the transfer of supervision of the offender in accordance with its own laws to known victims in the sending state, and the receiving state shall initiate notification procedures of the transfer of supervision of the offender in accordance with its own laws to victims in the receiving state.
- (b) *Notification to victims upon violation by offender or other change in status-*
- (1) The receiving state is responsible for reporting information to the sending state when an offender-
 - (A) Commits a significant violation;
 - (B) Changes address;
 - (C) Returns to the sending state where an offender's victim resides;
 - (D) Departs the receiving state under an approved plan of supervision in a subsequent receiving state; or
 - (E) Is issued a temporary travel permit where supervision of the offender has been designated a victim-sensitive matter.
 - (2) Both the sending state and the receiving state shall notify known victims in their respective states of this information in accordance with their own laws or procedures.
- (c) The receiving state shall respond to requests for offender information from the sending state no later than the 5th business day following the receipt of the request.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 3.108-1 Victims' right to be heard and comment

- (a) When an offender submits a request to transfer to a receiving state or a subsequent receiving state, or to return to a sending state, the victim notification authority in the sending state shall, at the time of notification to the victim as required in Rule 3.108 (a), inform victims of the offender of their right to be heard and comment. Victims of the offender have the right to be heard regarding their concerns relating to the transfer request for their safety and family members' safety. Victims have the right to contact the sending state's interstate compact office at any time by telephone, telefax, or conventional or electronic mail regarding their concerns relating to the transfer request for their safety and family members' safety. The victim notification authority in the sending state shall provide victims of the offender with information regarding how to respond and be heard if the victim chooses.
- (b)
 - (1) Victims shall have 10 business days from receipt of notice required in Rule 3.108-1 (a) to respond to the sending state. Receipt of notice shall be presumed to have occurred by the 5th business day following its sending.
 - (2) The receiving state shall continue to investigate the transfer request while awaiting response from the victim.
- (c) Upon receipt of the comments from victims of the offender, the sending state shall consider comments regarding their concerns relating to the transfer request for their safety and family members' safety. Victims' comments shall be confidential and shall not be disclosed to the public. The sending state or receiving state may impose special conditions of supervision on the offender, if the safety of the offender's victims or family members of victims is deemed to be at risk by the approval of the offender's request for transfer.
- (d) The sending state shall respond to the victim no later than 5 business days following receipt of victims' comments, indicating how victims' concerns will be addressed when transferring supervision of the offender.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 3.109 Waiver of extradition

- (a) An offender applying for interstate supervision shall execute, at the time of application for transfer, a waiver of extradition from any state to which the offender may abscond while under supervision in the receiving state.
- (b) States that are party to this compact waive all legal requirements to extradition of offenders who are fugitives from justice.

References:

ICAOS Advisory Opinion

2-2005 [In seeking a compact transfer of supervision, the offender accepts that a sending state can retake them at any time and that formal extradition hearings would not be required]

History: Adopted November 4, 2003, effective August 1, 2004.

Chapter 4 Supervision in Receiving State

Rule 4.101 Manner and degree of supervision in receiving state

A receiving state shall supervise an offender transferred under the interstate compact in a manner determined by the receiving state and consistent with the supervision of other similar offenders sentenced in the receiving state.

References:

ICAOS Advisory Opinions

- 2-2005 [Out of state offenders can be arrested and detained for failure to comply with conditions of probation if such a failure would have resulted in an arrest of a similar situated in-state offender]
- 5-2006 [This rule does not permit a state to impose the establishment of sex offender risk level or community notification on offenders transferred under the Compact if the receiving state does not impose these same requirements on its own offenders]
- 1-2007 [This rule does not permit the receiving state to provide no supervision and at a minimum the rules of the Compact contemplate that such an offender will be under some supervision for the duration of the conditions placed upon the offender by the sending state under Rule 4.102]
- 3-2008 [Compact offenders should be subject to the same exceptions as offenders sentenced in the receiving state.]

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 4.102 Duration of supervision in the receiving state

A receiving state shall supervise an offender transferred under the interstate compact for a length of time determined by the sending state.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 4.103 Special conditions

- (a) At the time of acceptance or during the term of supervision, the compact administrator or supervising authority in the receiving state may impose a special condition on an offender transferred under the interstate compact if that special condition would have been imposed on the offender if sentence had been imposed in the receiving state.
- (b) A receiving state shall notify a sending state that it intends to impose or has imposed a special condition on the offender, the nature of the special condition, and the purpose.
- (c) A sending state shall inform the receiving state of any special conditions to which the offender is subject at the time the request for transfer is made or at any time thereafter.
- (d) A receiving state that is unable to enforce a special condition imposed in the sending state shall notify the sending state of its inability to enforce a special condition at the time of request for transfer of supervision is made.

References:

ICAOS Advisory Opinion

2-2005 [In seeking a compact transfer of supervision, the offender accepts that a sending state can retake them at any time and that formal extradition hearings would not be required and that he or she is subject to the same type of supervision afforded to other offenders in the receiving state.....The receiving state can even add additional requirements on an offender as a condition of transfer]

1-2008 [Rule 4.103 concerning special conditions does not authorize a receiving state to deny a mandatory transfer of an offender under the compact who meets the requirements of such a transfer under Rule 3.101]

History: Adopted November 4, 2003, effective August 1, 2004; amended September 13, 2005, effective January 1, 2006.

Rule 4.103-1 Effect of special conditions or requirements

For purposes of revocation or other punitive action against an offender, the probation or paroling authority of a sending state shall give the same effect to a violation of special conditions or requirement imposed by a receiving state as if those conditions or requirement had been imposed by the sending state. Failure of an offender to comply with special conditions or additional requirements imposed by a receiving state shall form the basis of punitive action in the sending state notwithstanding the absence of such conditions or requirements in the original plan of supervision issued by the sending state. For purposes of this rule, the original plan of supervision shall include, but not be limited to, any court orders setting forth the terms and conditions of probation, any orders incorporating a plan of supervision by reference, or any orders or directives of the paroling or probation authority.

History: Adopted October 26, 2004, effective January 1, 2005; amended October 4, 2006, effective January 1, 2007.

Rule 4.104 Offender registration or DNA testing in receiving or sending state

A receiving state shall require that an offender transferred under the interstate compact comply with any offender registration and DNA testing requirements in accordance with the laws or policies of the receiving state and shall assist the sending state to ensure DNA testing requirements and offender registration requirements of a sending state are fulfilled.

History: Adopted November 4, 2003, effective August 1, 2004; amended September 26, 2007, effective January 1, 2008.

Rule 4.105 Arrival and departure notifications; withdrawal of reporting instructions

- (a) *Departure notifications*-At the time of an offender's departure from any state pursuant to a transfer of supervision or the granting of reporting instructions, the state from which the offender departs shall notify the intended receiving state, and, if applicable, the sending state, through the electronic information system of the date and time of the offender's intended departure and the date by which the offender has been instructed to arrive.
- (b) *Arrival notifications*-At the time of an offender's arrival in any state pursuant to a transfer of supervision or the granting of reporting instructions, or upon the failure of an offender to arrive as instructed, the intended receiving state shall immediately notify the state from which the offender departed, and, if applicable, the sending state, through the electronic information system of the offender's arrival or failure to arrive.
- (c) A receiving state may withdraw its reporting instructions if the offender does not report to the receiving state as directed.

History: Adopted November 4, 2003, effective August 1, 2004; amended September 13, 2005, effective June 1, 2009.

Rule 4.106 Progress reports

- (a) A receiving state shall provide to the sending state a progress report annually, or more frequently, upon the request of the sending state, for good cause shown. The receiving state shall provide the progress report within 30 calendar days of receiving the request.

- (b) A progress report shall include-
 - (1) offender's name;
 - (2) offender's residence address;
 - (3) offender's telephone number and electronic mail address;
 - (4) name and address of offender's employer;
 - (5) supervising officer's summary of offender's conduct, progress and attitude, and compliance with conditions of supervision;
 - (6) programs of treatment attempted and completed by the offender;
 - (7) information about any sanctions that have been imposed on the offender since the previous progress report;
 - (8) supervising officer's recommendation;
 - (9) any other information requested by the sending state that is available in the receiving state.

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended November 4, 2009, effective March 1, 2010.

Rule 4.107 Fees

- (a) *Application fee*-A sending state may impose a fee for each transfer application prepared for an offender.
- (b) *Supervision fee*-
- (1) A receiving state may impose a reasonable supervision fee on an offender whom the state accepts for supervision, which shall not be greater than the fee charged to the state's own offenders.
 - (2) A sending state shall not impose a supervision fee on an offender whose supervision has been transferred to a receiving state.

References:

ICAOS Advisory Opinions

2-2006 [The sending state is prohibited from imposing a supervision fee once the offender has been transferred under the Compact]

14-2006[A fee imposed by a sending state for purposes of defraying costs for sex offender registration and victim notification, not appearing to fit criteria of a "supervision fee," may be collected on Compact offenders at a sending state's responsibility]

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 4.108 Collection of restitution, fines and other costs

- (a) A sending state is responsible for collecting all fines, family support, restitution, court costs, or other financial obligations imposed by the sending state on the offender.
- (b) Upon notice by the sending state that the offender is not complying with family support and restitution obligations, and financial obligations as set forth in subsection (a), the receiving state shall notify the offender that the offender is in violation of the conditions of supervision and must comply. The receiving state shall inform the offender of the address to which payments are to be sent.

References:

ICAOS Advisory Opinion

14-2006[A fee imposed by a sending state for purposes of defraying costs for sex offender registration and victim notification, not appearing to fit criteria of a “supervision fee,” may be collected on Compact offenders at a sending state’s responsibility. A receiving state would be obligated for notifying the offender to comply with such financial responsibility under Rule 4.108 (b)]

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 4.109 Violation reports

- (a) A receiving state shall notify a sending state of significant violations of conditions of supervision by an offender within 30 calendar days of discovery of the violation.
- (b) A violation report shall contain-
 - (1) offender's name and location;
 - (2) offender's state-issued identifying numbers;
 - (3) date of the offense or infraction that forms the basis of the violation;
 - (4) description of the offense or infraction;
 - (5) status and disposition, if any, of offense or infraction;
 - (6) dates and descriptions of any previous violations;
 - (7) receiving state's recommendation of actions sending state may take;
 - (8) name and title of the officer making the report; and
 - (9) if the offender has absconded, the offender's last known address and telephone number, name and address of the offender's employer, and the date of the offender's last personal contact with the supervising officer and details regarding how the supervising officer determined the offender to be an absconder.
 - (10) Supporting documentation regarding the violation including but not limited to police reports, toxicology reports, and preliminary findings.
- (c)
 - (1) The sending state shall respond to a report of a violation made by the receiving state no later than 10 business days following transmission by the receiving state.
 - (2) The response by the sending state shall include action to be taken by the sending state and the date by which that action will begin and its estimated completion date.

History: Adopted November 4, 2003, effective August 1, 2004; amended September 26, 2007, effective January 1, 2008; amended October 13, 2010, effective March 1, 2011; amended August 28, 2013, effective March 1, 2014.

Rule 4.109-1 Authority to arrest and detain

An offender in violation of the terms and conditions of supervision may be taken into custody or continued in custody by the receiving state.

History: Adopted October 4, 2006, effective January 1, 2007.

References:

ICAOS Advisory Opinion

17-2006[Each state should determine the extent to which authority is vested in parole and probation officers as well as other law enforcement and peace officers to effect such an arrest, including the need for a warrant.]

Rule 4.109-2 Absconding Violation

- (a) If there is reason to believe that an offender has absconded, the receiving state shall attempt to locate the offender. Such activities shall include, but are not limited to:
 - (1) Conducting a field contact at the last known place of residence;
 - (2) Contacting the last known place of employment, if applicable;
 - (3) Contacting known family members and collateral contacts.
- (b) If the offender is not located, the receiving state shall submit a violation report pursuant to Rule 4.109(b) (9).

History: Adopted October 13, 2010, effective March 1, 2011

Rule 4.110 Transfer to a subsequent receiving state

- (a) At the request of an offender for transfer to a subsequent receiving state, and with the approval of the sending state, the sending state shall prepare and transmit a request for transfer to the subsequent state in the same manner as an initial request for transfer is made.
- (b) The receiving state shall assist the sending state in acquiring the offender's signature on the "Application for Interstate Compact Transfer," and any other forms that may be required under Rule 3.107, and shall transmit these forms to the sending state.
- (c) The receiving state shall submit a statement to the sending state summarizing the offender's progress under supervision.
- (d) The receiving state shall issue a travel permit to the offender when the sending state informs the receiving state that the offender's transfer to the subsequent receiving state has been approved.
- (e) Notification of offender's departure and arrival shall be made as required under Rule 4.105.
- (f) Acceptance of the offender's transfer of supervision by a subsequent state and issuance of reporting instructions to the offender terminate the receiving state's supervisory obligations for the offender.

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 13, 2005 (to be effective upon the implementation of electronic system; date to be determined by Executive Committee) amended September 26, 2007, effective January 1, 2008.

Rule 4.111 Offender requesting return to the sending state

- (a) Upon an offender's request to return to the sending state, the receiving state shall request reporting instructions, unless the offender is under active criminal investigation or is charged with a subsequent criminal offense in the receiving state. The offender shall remain in the receiving state until receipt of reporting instructions.
- (b) Except as provided in subsection (c), the sending state shall grant the request and provide reporting instructions no later than 2 business days following receipt of the request for reporting instructions from the receiving state.
- (c) In a victim sensitive case, the sending state shall not provide reporting instructions until the victim notification provisions of Rule 3.108 (b)(1)(C) have been followed.
- (d) A receiving state shall notify the sending state as required in Rule 4.105 (a).

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 26, 2007, effective January 1, 2008 amended September 14, 2011, effective March 1, 2012.

Rule 4.112 Closing of supervision by the receiving state

- (a) The receiving state may close its supervision of an offender and cease supervision upon-
- (1) The date of discharge indicated for the offender at the time of application for supervision unless informed of an earlier or later date by the sending state;
 - (2) Notification to the sending state of the absconding of the offender from supervision in the receiving state;
 - (3) Notification to the sending state that the offender has been sentenced to incarceration for 180 calendar days or longer, including judgment and sentencing documents and information about the offender's location;
 - (4) Notification of death; or
 - (5) Return to sending state.
- (b) A receiving state shall not terminate its supervision of an offender while the sending state is in the process of retaking the offender.
- (c) At the time a receiving state closes supervision, a case closure notice shall be provided to the sending state which shall include last known address and employment. The receiving state shall transmit a case closure notice within 10 business days after the maximum expiration date.
- (d) The sending state shall submit the case closure notice reply to the receiving state within 10 business days of receipt.

References:

ICAOS Advisory Opinion

11-2006[A receiving state closing supervision interest, does not preclude the jurisdiction of the Compact except for cases where the original term of supervision has expired]

2-2010 [If a sending state modifies a sentencing order so that the offender no longer meets the definition of "supervision," no further jurisdiction exists to supervise the offender under the compact and qualifies as a discharge requiring a receiving state to close supervision.]

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended September 26, 2007, effective January 1, 2008; amended September 14, 2011, effective March 1, 2012; amended August 28, 2013, effective March 1, 2014.

Chapter 5 Retaking

Rule 5.101 Discretionary retaking by the sending state

- (a) Except as required in Rules 5.101-1, 5.102, 5.103 and 5.103-1 at its sole discretion, a sending state may retake or order the return of an offender.
- (b) If the offender does not return to the sending state as ordered, then the sending state shall issue a warrant no later than 10 business days following the offender's failure to appear in the sending state.

References:

ICAOS Advisory Opinion

12-2006[Neither the time frame nor the means by which the retaking of the offender shall occur as outlined in Rule 5.101 (a) are provided]

History: Adopted November 4, 2003, effective August 1, 2004; amended September 26, 2007, effective January 1, 2008; amended October 13, 2010, effective March 1, 2011; amended August 28, 2013, effective March 1, 2014

Rule 5.101-1 Pending felony or violent crime charges

Notwithstanding any other rule, if an offender is charged with a subsequent felony or violent crime, the offender shall not be retaken or ordered to return until criminal charges have been dismissed, sentence has been satisfied, or the offender has been released to supervision for the subsequent offense, unless the sending and receiving states mutually agree to the retaking or return.

History: Adopted August 28, 2013, effective March 1, 2014.

Rule 5.102 Mandatory retaking for a new felony or new violent crime conviction

- (a) Upon a request from the receiving state, a sending state shall retake an offender from the receiving state or a subsequent receiving state after the offender's conviction for a new felony offense or new violent crime and:
- (1) completion of a term of incarceration for that conviction; or
 - (2) placement under supervision for that felony or violent crime offense.
- (b) When a sending state is required to retake an offender, the sending state shall issue a warrant and, upon apprehension of the offender, file a detainer with the holding facility where the offender is in custody.

History: Adopted November 4, 2003, effective August 1, 2004; amended October 26, 2004, effective January 1, 2005; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; amended October 13, 2010, effective March 1, 2011; amended August 28, 2013, effective March 1, 2014.

Rule 5.103 Mandatory retaking for violation of conditions of supervision

(a) Upon a request by the receiving state and a showing that the offender has committed 3 or more significant violations, as defined by the compact, arising from separate incidents that establish a pattern of non-compliance of the conditions of supervision, a sending state shall issue a warrant to retake or order the return of an offender from the receiving state or a subsequent receiving state within 15 business days of the receipt of the request by the receiving state.

(b) If the offender does not return to the sending state as ordered, then the sending state shall issue a warrant, no later than 10 business days following the offender's failure to appear in the sending state.

References:

ICAOS Advisory Opinions

2-2005 [An out of state offender may be arrested and detained by a receiving state who are subject to retaking based on violations of supervision, *See* Rule 4.109-1]

10-2006 [Offenders transferred prior to the adoption of ICAOS rules August 1, 2004 may be retaken under the current rules if 1 of the significant violations occurred after August 1, 2004]

4-2007 [It is unreasonable to assume the subsequent application of Rule 5.103 (a) to include violations occurring prior to an application being accepted as a basis to require retaking]

History: Adopted November 4, 2003, effective August 1, 2004; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008, amended August 28, 2013, effective March 1, 2014.

Rule 5.103-1 Mandatory retaking for offenders who abscond

- (a) Upon receipt of an absconder violation report and case closure, the sending state shall issue a warrant and, upon apprehension of the offender, file a detainer with the holding facility where the offender is in custody.
- (b) If an offender who has absconded is apprehended on a sending state's warrant within the jurisdiction of the receiving state that issued the violation report and case closure, the receiving state shall, upon request by the sending state, conduct a probable cause hearing as provided in Rule 5.108 (d) and (e) unless waived as provided in Rule 5.108 (b).
- (c) Upon a finding of probable cause the sending state shall retake the offender from the receiving state.
- (d) If probable cause is not established, the receiving state shall resume supervision upon the request of the sending state.
- (e) The sending state shall keep its warrant and detainer in place until the offender is retaken pursuant to paragraph (c) or supervision is resumed pursuant to paragraph (d).

History: Adopted October 13, 2010, effective March 1, 2011.

Rule 5.103-2 Mandatory retaking for violent offenders and violent crimes [REPEALED]

REPEALED effective March 1, 2014

2-2011 [The sending state is not required to make a determination that an offender is violent at the time of transfer.]

History: Adopted October 13, 2010, effective March 1, 2011.

Rule 5.104 Cost of retaking an offender

A sending state shall be responsible for the cost of retaking the offender.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 5.105 Time allowed for retaking an offender

A sending state shall retake an offender within 30 calendar days after the offender has been taken into custody on the sending state's warrant and the offender is being held solely on the sending state's warrant.

History: Adopted November 4, 2003, effective August 1, 2004; amended August 28, 2013, effective March 1, 2014.

Rule 5.106 Cost of incarceration in receiving state

A receiving state shall be responsible for the cost of detaining the offender in the receiving state pending the offender's retaking by the sending state.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 5.107 Officers retaking an offender

- (a) Officers authorized under the law of a sending state may enter a state where the offender is found and apprehend and retake the offender, subject to this compact, its rules, and due process requirements.
- (b) The sending state shall be required to establish the authority of the officer and the identity of the offender to be retaken.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 5.108 Probable cause hearing in receiving state

- (a) An offender subject to retaking for violation of conditions of supervision that may result in a revocation shall be afforded the opportunity for a probable cause hearing before a neutral and detached hearing officer in or reasonably near the place where the alleged violation occurred.
- (b) No waiver of a probable cause hearing shall be accepted unless accompanied by an admission by the offender to one or more significant violations of the terms or conditions of supervision.
- (c) A copy of a judgment of conviction regarding the conviction of a new criminal offense by the offender shall be deemed conclusive proof that an offender may be retaken by a sending state without the need for further proceedings.
- (d) The offender shall be entitled to the following rights at the probable cause hearing:
 - (1) Written notice of the alleged violation(s);
 - (2) Disclosure of non-privileged or non-confidential evidence regarding the alleged violation(s);
 - (3) The opportunity to be heard in person and to present witnesses and documentary evidence relevant to the alleged violation(s);
 - (4) The opportunity to confront and cross-examine adverse witnesses, unless the hearing officer determines that a risk of harm to a witness exists.
- (e) The receiving state shall prepare and submit to the sending state a written report within 10 business days of the hearing that identifies the time, date and location of the hearing; lists the parties present at the hearing; and includes a clear and concise summary of the testimony taken and the evidence relied upon in rendering the decision. Any evidence or record generated during a probable cause hearing shall be forwarded to the sending state.
- (f) If the hearing officer determines that there is probable cause to believe that the offender has committed the alleged violations of conditions of supervision, the receiving state shall hold the offender in custody, and the sending state shall, within 15 business days of receipt of the hearing officer's report, notify the receiving state of the decision to retake or other action to be taken.
- (g) If probable cause is not established, the receiving state shall:
 - (1) Continue supervision if the offender is not in custody.
 - (2) Notify the sending state to vacate the warrant, and continue supervision upon release if the offender is in custody on the sending state's warrant.
 - (3) Vacate the receiving state's warrant and release the offender back to supervision within 24 hours of the hearing if the offender is in custody.

References:

ICAOS Advisory Opinion

2-2005 [Although Rule 5.108 requires that a probable cause hearing take place for an offender subject to retaking for violations of conditions that may result in revocation as outlined in subsection (a), allegations of due process violations in the actual revocation of probation or parole are matters addressed during proceedings in the sending state after the offender's return]

17-2006 [Each state should determine the extent to which authority is vested in parole and probation officers as well as other law enforcement and peace officers to effect such an arrest, including the need for a warrant.]

5-2012 [Rule 5.108 permits the use of 2-way video closed circuit television during probable cause hearings where determined by the hearing officer to be necessary to protect a witness from harm which might result from testifying in person.]

Gagnon v. Scarpelli, 411 U.S. 778 (1973)

Ogden v. Klundt, 550 P.2d 36, 39 (Wash. Ct. App. 1976)

See, *People ex rel. Crawford v. State*, 329 N.Y.S.2d 739 (N.Y. 1972)

State ex rel. Nagy v. Alvis, 90 N.E.2d 582 (Ohio 1950)

State ex rel. Reddin v. Meekma, 306 N.W.2d 664 (Wis. 1981)

Bills v. Shulsen, 700 P.2d 317 (Utah 1985)

California v. Crump, 433 A.2d 791 (N.J. Super. Ct. App. Div. 1981)

California v. Crump, 433 A.2d at 794, *Fisher v. Crist*, 594 P.2d 1140 (Mont. 1979)

State v. Maglio, 459 A.2d 1209 (N.J. Super. Ct. 1979)

In re Hayes, 468 N.E.2d 1083 (Mass. Ct. App. 1984)

Morrissey v. Brewer, 408 U.S. 471 (1972)

In *State v. Hill*, 334 N.W.2d 746 (Iowa 1983)

See e.g., *State ex rel. Ohio Adult Parole Authority v. Coniglio*, 610 N.E.2d 1196, 1198 (Ohio Ct. App. 1993)

History: Adopted November 4, 2003, effective August 1, 2004; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008; amended August 28, 2013, effective March 1, 2014.

Rule 5.109 Transport of offenders

States that are party to this compact shall allow officers authorized by the law of the sending or receiving state to transport offenders through the state without interference.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 5.110 Retaking offenders from local, state or federal correctional facilities

- (a) Officers authorized by the law of a sending state may take custody of an offender from a local, state or federal correctional facility at the expiration of the sentence or the offender's release from that facility provided that
 - (1) No detainer has been placed against the offender by the state in which the correctional facility lies; and
 - (2) No extradition proceedings have been initiated against the offender by a third-party state.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 5.111 Denial of bail or other release conditions to certain offenders

An offender against whom retaking procedures have been instituted by a sending or receiving state shall not be admitted to bail or other release conditions in any state.

History: Adopted November 4, 2003, effective August 1, 2004; amended October 4, 2006, effective January 1, 2007; amended September 26, 2007, effective January 1, 2008.

Chapter 6 Dispute Resolution and Interpretation of Rules

Rule 6.101 Informal communication to resolve disputes or controversies and obtain interpretation of the rules

- (a) Through the office of a state's compact administrator, states shall attempt to resolve disputes or controversies by communicating with each other by telephone, telefax, or electronic mail.
- (b) *Failure to resolve dispute or controversy-*
 - (1) Following an unsuccessful attempt to resolve controversies or disputes arising under this compact, its by-laws or its rules as required under Rule 6.101 (a), states shall pursue 1 or more of the informal dispute resolution processes set forth in Rule 6.101 (b)(2) prior to resorting to formal dispute resolution alternatives.
 - (2) Parties shall submit a written request to the executive director for assistance in resolving the controversy or dispute. The executive director shall provide a written response to the parties within 10 business days and may, at the executive director's discretion, seek the assistance of legal counsel or the executive committee in resolving the dispute. The executive committee may authorize its standing committees or the executive director to assist in resolving the dispute or controversy.
- (c) *Interpretation of the rules-*Any state may submit an informal written request to the executive director for assistance in interpreting the rules of this compact. The executive director may seek the assistance of legal counsel, the executive committee, or both, in interpreting the rules. The executive committee may authorize its standing committees to assist in interpreting the rules. Interpretations of the rules shall be issued in writing by the executive director or the executive committee and shall be circulated to all of the states.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 6.102 Formal resolution of disputes and controversies

- (a) *Alternative dispute resolution*- Any controversy or dispute between or among parties that arises from or relates to this compact that is not resolved under Rule 6.101 may be resolved by alternative dispute resolution processes. These shall consist of mediation and arbitration.
- (b) *Mediation and arbitration*
 - (1) *Mediation*
 - (A) A state that is party to a dispute may request, or the executive committee may require, the submission of a matter in controversy to mediation.
 - (B) Mediation shall be conducted by a mediator appointed by the executive committee from a list of mediators approved by the national organization responsible for setting standards for mediators, and pursuant to procedures customarily used in mediation proceedings.
 - (2) *Arbitration*
 - (A) Arbitration may be recommended by the executive committee in any dispute regardless of the parties' previous submission of the dispute to mediation.
 - (B) Arbitration shall be administered by at least 1 neutral arbitrator or a panel of arbitrators not to exceed 3 members. These arbitrators shall be selected from a list of arbitrators maintained by the commission staff.
 - (C) The arbitration may be administered pursuant to procedures customarily used in arbitration proceedings and at the direction of the arbitrator.
 - (D) Upon the demand of any party to a dispute arising under the compact, the dispute shall be referred to the American Arbitration Association and shall be administered pursuant to its commercial arbitration rules.
 - (E)
 - (i) The arbitrator in all cases shall assess all costs of arbitration, including fees of the arbitrator and reasonable attorney fees of the prevailing party, against the party that did not prevail.
 - (ii) The arbitrator shall have the power to impose any sanction permitted by this compact and other laws of the state or the federal district in which the commission has its principal offices.
 - (F) Judgment on any award may be entered in any court having jurisdiction.

History: Adopted November 4, 2003, effective August 1, 2004.

Rule 6.103 Enforcement actions against a defaulting state

- (a) If the Interstate Commission determines that any state has at any time defaulted (“defaulting state”) in the performance of any of its obligations or responsibilities under this Compact, the by-laws or any duly promulgated rules the Interstate Commission may impose any or all of the following penalties-
- (1) Fines, fees and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission;
 - (2) Remedial training and technical assistance as directed by the Interstate Commission;
 - (3) Suspension and termination of membership in the compact. Suspension shall be imposed only after all other reasonable means of securing compliance under the by-laws and rules have been exhausted. Immediate notice of suspension shall be given by the Interstate Commission to the governor, the chief justice or chief judicial officer of the state; the majority and minority leaders of the defaulting state’s legislature, and the state council.
- (b) The grounds for default include, but are not limited to, failure of a Compacting State to perform such obligations or responsibilities imposed upon it by this compact, Interstate Commission by-laws, or duly promulgated rules. The Interstate Commission shall immediately notify the defaulting state in writing of the potential penalties that may be imposed by the Interstate Commission on the defaulting state pending a cure of the default. The Interstate Commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the Interstate Commission, in addition to any other penalties imposed herein, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the compacting states and all rights, privileges and benefits conferred by this Compact shall be terminated from the effective date of suspension.
- (c) Within 60 calendar days of the effective date of termination of a defaulting state, the Interstate Commission shall notify the governor, the chief justice or chief judicial officer and the majority and minority leaders of the defaulting state’s legislature and the state council of such termination.
- (d) The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.
- (e) The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Interstate Commission and the defaulting state.

- (f) Reinstatement following termination of any compacting state requires both a reenactment of the Compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

History: Adopted November 4, 2003, effective August 1, 2004; amended August 28, 2013, effective March 1, 2014.

Rule 6.104 Judicial Enforcement

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices to enforce compliance with the provisions of the Compact, its duly promulgated rules and by-laws, against any compacting state in default. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

History: Adopted November 4, 2003, effective August 1, 2004.

A Motion Chart for Robert's Rules

When you're using Robert's Rules to help your meeting run well, the following chart can come in very handy when you're in the thick of debate on a main motion. It's designed to help you choose the right motion for the right reason. (In the chart, the subsidiary and privileged motions are listed in descending order of precedence; that is, motions lower on the list can't be made if anything higher is pending.)

			Can Interrupt	Requires Second	Debatable	Amendable	Vote Required	Can Reconsider	
SECONDARY MOTIONS	PRIVILEGED	Fix the Time to Which to Adjourn		S		A	M	R	
		Adjourn		S			M		
		Recess		S		A	M		
		Raise a Question of Privilege	I				Chair decides		
		Call for Orders of the Day	I				Chair decides		
	SUBSIDIARY	Lay on the Table			S			M	Negative Only*
		Previous Question			S			2/3	R*
		Limit or Extend Limits of Debate			S		A	2/3	R*
		Postpone Definitely			S	D	A	M	R*
		Commit (or Refer)			S	D	A	M	R*
		Amend			S	D*	A*	M	R
		Postpone Indefinitely			S	D		M	Affirmative Only
	Main Motion				S	D	A	M	R
	* See text for exceptions							M = Majority vote	

Consult a book on Robert's Rules for clarification on the exceptions.

Making and Handling Motions According to Robert's Rules

When that light bulb goes off in your head and you have a great idea, you make a motion according to Robert's Rules to get your idea discussed and a decision made. Following are the eight steps required from start to finish to make a motion and get the group to decide whether it agrees. Each step is a required part of the process.

Step	What to Say
1. The member rises and addresses the chair.	"Madam Chairman. . . ."
2. The chair recognizes the member.	"The chair recognizes Ms. Gliggenschlapp."
3. The member makes a motion.	"I move to purchase a copy of <i>Robert's Rules For Dummies</i> for our president."
4. Another member seconds the motion.	"Second."
5. The chair states the motion.	"It is moved and seconded to purchase a copy of <i>Robert's Rules For Dummies</i> for your president. Are you ready for the question?"
6. The members debate the motion.	"The chair recognizes Ms. Gliggenschlapp to speak to her motion. . . ."
7. The chair puts the question and the members vote.	"All those in favor of adopting the motion to buy a copy of <i>Robert's Rules For Dummies</i> for your president will say 'aye,' [pause] those opposed will say 'no'."
8. The chair announces the result of the vote.	"The ayes have it and the motion carries, and a copy of <i>Robert's Rules For Dummies</i> will be purchased for your president."

Guidelines

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr./Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate cannot begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair!
Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!
- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own)
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are

considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble can not be considered until debate on the body of the paper has ceased.

- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table
- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session
- **Previous Question:** Closes debate if successful - may be moved to "**Close Debate**" if preferred
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified



Presenter Biographies



Sara Andrews serves as the Director of the Ohio Criminal Sentencing Commission, effective January 2015. In 1990, the General Assembly created the Ohio Criminal Sentencing Commission by statute. The Commission is chaired by the Chief Justice of the Supreme Court of Ohio. The Commission is responsible for conducting a review of Ohio's sentencing statutes and sentencing patterns, and making recommendations regarding necessary statutory changes. The Commission consists of 31 members, 10 of whom are judges appointed by the Chief Justice. Before her appointment as the Director of the Ohio Criminal Sentencing Commission, Sara was a more than twenty year veteran with the Department of Rehabilitation and Correction, holding a number of leadership positions, most recently as the Deputy Director of the Division of Parole and Community Services (DPCS) and Chief of the Adult Parole Authority (APA). In that role, she managed the Ohio Parole Board, the Office of Victim Services, the Bureau of Research, Office of Offender Reentry and Religious Services, Jail inspection and oversight, community supervision, fugitive and interstate compact operations, and DRC funded community corrections throughout the State of Ohio. She was also the Ohio Commissioner and national Chair of the Interstate Compact for Adult Offender Supervision and continues to serve in that capacity.

Sara's academic background includes a B.A. from the University of Northern Colorado and M.S. degree from the University of Dayton, Ohio. She is a member of Ohio Justice Alliance for Community Corrections, the American Probation and Parole Association, serves as an appointed member of the Attorney General's Ohio Law Enforcement Gateway Steering Committee and Advisory Board, the Commission on Technology and the Courts of the Ohio Supreme Court, served as a member of the Ohio Supreme Court's Joint Task Force to Review the Administration of Ohio's Death Penalty and most recently represents the Chief Justice on Governor Kasich's Ohio Task Force on Community-Police Relations.

In her community and affiliated with her daughter's High School rowing team Sara serves as a trustee and President of the not for profit organization, Upper Arlington Crew. Sara is also a recipient of the United States Attorney General's William French Smith award, the 2013 Ohio Community Corrections Association President's award, 2013 Ohio Justice Alliance for Community Corrections Bennett J. Cooper award, 2014 Interstate Compact Adult Offender Supervision Executive Director's Leadership award.



Shawn Arruti, Nevada Department of Public Safety Lieutenant, has 20 years of combined experience in the field of parole and probation. Assigned to the Nevada Compact Office in April, 2006, he currently serves as the Deputy Compact Administrator for the Nevada Interstate Compact and is charged with overseeing state compliance with the rules, standards and practices of the Interstate Commission for Adult Offender Supervision (ICAOS). He previously served the Nevada Division of Parole and Probation as a DPS

Officer, a DPS Field Training Officer and a DPS Sergeant. Prior to relocating to Nevada in August, 1998, he served as a Juvenile Probation Officer in Maricopa County, Arizona.

Lieutenant Arruti currently serves the Compact as an ex-officio member of the Rules Committee, Technology Committee and as a member of the workgroup charged with the design of the Annual Business Meeting. Additionally, he serves as a WebEx facilitator for the training designed and conducted by the National Office. He previously served as an ex-officio member of the Training Committee and the Deputy Compact Administrator Liaison Committee.

Lieutenant Arruti holds a Bachelor of Arts in Criminology and Psychology from the University of New Mexico (1994). He is also a graduate of Northwestern University, Center for Public Safety, School of Police Staff and Command (2009; SPSC #279).



Matthew Billinger is a Corrections Manager for Kansas Department of Corrections, and the Deputy Compact Administrator for the State of Kansas. He plays an active role in the ICAOS while also supervising a unit that manages Kansas detainers, in absentia, warrants and extraditions. He co-authored an article with Kansas Assistant Attorney General Steven Karrer entitled “What a Prosecutor Should Know and Why They Should Care”, published in the 2014 Spring edition of the Kansas County and District Attorney Association quarterly magazine. He graduated from Fort Hays State University with a Bachelor’s in Justice Studies. He has worked in the criminal justice field since 2003 starting as a Juvenile Detention Officer, and has also worked in the mental health field for the Wyandotte County Mental Health Center. He worked in the Kansas City Parole office for 5 years, being a Parole Officer II managing the offenders with Severe and Persistent Mental Illness.



Shari Britton has over 34 years experience with the Florida Department of Corrections, serving as Bureau Chief of Interstate Compact and Probation & Parole Field Services in Community Corrections for the past eleven years. Mrs. Britton’s bureau is responsible for statewide administration of the Interstate Compact; developing, implementing and revising Community Corrections procedures, forms and rules used statewide for community supervision programs and operations; providing support, training and technical assistance to employees relating to community supervision and programs, Interstate Compact and the offender database and analyzing, formulating and preparing legislative proposals relating to probation and parole.

Mrs. Britton graduated from Florida Southern College in Lakeland in 1980 with a Bachelor of Science degree in Sociology. She began her career with the Department of Corrections almost 35 years ago as a probation officer in Palm Beach County and has held several other positions within the department, including Interstate Compact Specialist, office and intake supervisor, Deputy Circuit Administrator, and Correctional Programs Administrator. Mrs. Britton is a member of the Florida Council on Crime and Delinquency and member of the Rules Committee for the Interstate Compact Adult Offender Supervision.



Michelle Buscher serves as the Commissioner for Illinois Interstate Compact Office. She has worked for the Illinois Department of Corrections since 1984 in various capacities. She began her employment with the Department of Corrections working in the school district division and was promoted to Administrative Assistant in the Director's Office, Executive Assistant at the Logan Correctional Center, Assistant Warden of Operations at the Illinois Youth Center Valley View, Assistant Warden of Operations at Illinois Youth Center Warrenville and then to her current position. Ms. Buscher served as Secretary of the Illinois Correctional Association for over 11 years. Michelle's academic background includes a Bachelor's degree in Sociology from Sangamon State University as well as completing her Master's coursework in Child, Family and Community Service at the University of Illinois at Springfield.

Douglas Clark is the Executive Director of the South Dakota Board of Pardons and Paroles for the South Dakota Department of Corrections. He received his BA in Management from the University of Sioux Falls and a Graduate Certificate in Public Administration and Organizational Management from the University of South Dakota in 2014 as part of the SD Governor's Leadership Excellence program. Doug began his career with the South Dakota Department of Corrections in 1994 as a Correctional Officer in the South Dakota State Penitentiary located in Sioux Falls. He held numerous positions within security as well as unit management, including Corporal, Sergeant, Special Security/Investigations Sergeant, Correctional Counselor, Unit Case Manager, and Unit Manager. In 2002, he was hired by the Parole Division to serve as a Corrections Specialist. He was named the Director of Field Operations for Parole Services in 2008. In these positions, Douglas was instrumental in the development, implementation, and oversight of the Community Risk Assessment/Re-Assessment instrument and process, as well as the Policy-Driven Response to Violation Matrix. He directed the arming of parole agents in South Dakota, expanded the use of evidence based practices in South Dakota Parole Services, and assisted with the implementation of system-wide strategies and process changes that came as a result of the state's Justice Reinvestment Initiative. In May 2015, Doug was appointed as the Executive Director of the South Dakota Board of Pardons and Paroles. In this position, he is responsible for the oversight of all Parole Board operations, Parole Services operations, and serves as the South Dakota's Commissioner to the Interstate Commission for Adult Offender Supervision (ICAOS). He currently serves on the Rules Committee for the ICAOS. When not working, Doug enjoys spending time with his family, coaching youth sports, and boating.



Dale Crook is a seventeen year veteran with the Vermont Department of Corrections. He has held many different positions within the department. He began his career as a correctional officer, and then moved out into the world of community corrections as a community corrections officer followed by being a probation officer. In 2008 he was went to work in Central Office to work in policy development and managing the Interstate Compact of Adult Offender Supervision (ICAOS) for the VTDOC. In 2010 he was hired as the Director of Classification. He has been in his current role as the Director of Field Services since 2011. His responsibilities include the supervision of 10 Probation and Parole District Offices, which supervises 7,700 offenders on 11 different legal statuses. He is the East Region Chair for ICAOS and a member of NIC's Probation and Parole Executive Network. He has a BA from Champlain College in Law Enforcement and a MSA from St. Michaels College.



Dori Ege has held her current position as the Deputy Compact Administrator (DCA) for Arizona Adult Probation since December 1999. Prior to this position, Dori was an adult probation officer with the Gila County Probation Department in Globe, Arizona. As DCA, she is responsible for training and oversight of the interstate compact program. She regularly trains line officers, judges, attorneys and other court personnel on the rules of the interstate compact throughout Arizona. She has also trained criminal justice personnel in Colorado, Texas, Missouri, Nevada, California, Hawaii, North Dakota, Oklahoma, Idaho, Alaska, New Jersey, Kansas, Iowa, Connecticut and Washington, D.C. Dori was appointed as Arizona's Compact Commissioner in January 2005. She currently serves on the Rules Committee and is a national trainer for the Training Committee. She previously served as Chair of the West Region and Chair of the Training Committee. Dori is a graduate of St. Cloud State University with a B.A. in Criminal Justice.



Milton Gilliam is the Administrator of Probation and Parole for the Oklahoma Department of Corrections. He has worked in Corrections since 1980, as a Case Manager, Probation/Parole Officer, Training Officer, Team Supervisor, and Administrator of Parole and Interstate Services. He received a BS in Social Work from Oklahoma Christian College in 1979 and received a M.Ed in Counseling Psychology from Central State University - Oklahoma in 1985. He has been the Interstate Compact Commissioner for Oklahoma since October 1, 1990. Milton has been active in the Parole and Probation Compact Administrators' Association (PPCAA) and the Interstate Commission for Adult Offender Supervision (ICAOS) by serving and chairing several committees and has been the National Chair of ICAOS from 2010-2014.



John Gusz began his career with the Burlington County (NJ) Probation Department in 1979. He returned to his probation roots at the New Jersey Administrative Office of the Courts in 1997, after spending sixteen years with the New Jersey Department of Labor and Industry. At the NJDOL he served in the capacity of Project Control Administrator overseeing the establishment and maintenance of multi-million dollar automation projects, prior to assuming his current duties as Deputy Compact Administrator for both the adult and juvenile interstate compacts. John has been actively involved in both the Interstate Compact for Adult Offender Supervision and Interstate Compact for Juveniles serving in various capacities and positions. He held membership to the 2003 Interstate Compact Information Management System Planning Project, which assisted the Commission in the development of the Interstate Compact information management system now known as the ICOTS. He was subsequently selected to participate in the Joint Application and Design of (ICOTS). He has continuously been a member of the ICAOS Technology Committee dating back to the inception of ICOTS. Additionally, he is a member of the ICAOS Rules Committee. John was one of four regional representatives contributing to the development of the Juvenile Interstate Data System (JIDS), a web based forms management system that facilitates the interstate movement of all juveniles under court or paroling authority. His ICJ participation also includes terms on both the Rules and Technology Committees. John is a graduate of Rowan University and Rutgers University respectively, holding a Bachelor of Arts Degree in Law/Justice Studies and Master of Public Administration Degree. He is a New Jersey Certified Public Manager (CPM) and a member of the Rutgers University National Honor Society for Public Affairs and Administration. He was awarded the 2013 ICAOS Executive Director Award in recognition to his lasting contribution to the Commission.



Tracy Hudrlik graduated from University of Wisconsin-Platteville with a Bachelor of Arts Degree in Criminal Justice. She began her career with the Wisconsin Department of Corrections in 1993 as a Probation and Parole Agent. She moved to Minnesota and was employed as a Probation Officer there from 1995-1999. Returning to Wisconsin in 1999, she has served as Probation and Parole Agent, Staff Program Development Specialist, 2nd Chance Act Coordinator and Reentry Employment Coordinator before holding her current position as Corrections Services Supervisor/Interstate Compact Administrator. Tracy has been the Interstate Compact Administrator/Corrections Services Supervisor for the Division of Community Corrections since May 2013. In this capacity, Tracy oversees the Interstate Compact functions and serves on the Rules Committee. In addition to interstate compact, Tracy is responsible for the development and oversight of offender programming, education, employment and reentry activities for the Division of Community Corrections. Tracy also represents the Division on several work groups and planning committees that guide the implementation of evidence based practices and initiatives.



Jim Ingle has worked for the Utah Department of Corrections for 27 years. He is a certified Correctional Officer and holds a Masters Degree in Public Administration from the University of Utah. Jim has been responsible for the Utah Sex Offender Registry and the Interstate Compact Office since 2007. During that time Jim has seen both units through significant changes in both statutory and regulatory requirements, and provides regular training to personnel in Utah and across the country. Jim greatly enjoys working with allied stakeholders to accomplish public safety for the citizens of Utah. He firmly believes that it takes quality working relationships to be successful in any job, and he values the opportunity to build those relationships today.



Jenna A. James serves as the Deputy Compact Administrator for the Georgia Parole Interstate Compact Office. She was hired by the Georgia State Board of Pardons and Paroles in 1996 as a Parole Officer. Jenna performed many roles as PO until her promotion to Field Operations Officer in 2000. Since that date, she has held the position of Assistant Director of Field operations - Risk Reduction Services in 2005 and Director of Interstate Compact in 2009. Effective July 1, 2015, Jenna was promoted to Field Operations Administrator where she manages the warrants and violations support process as well as the Interstate Compact release process for the Parole Board. In addition to serving as DCA, she was recently certified as the Agency TAC. Jenna holds a Dual Bachelor of Arts Degree in Political Science and Psychology from Fisk University and a Masters of Public Administration from Columbus State University.

Edward J. Latessa Edward J. Latessa received his Ph.D. from the Ohio State University in 1979 and is Director and Professor of the School of Criminal Justice at the University of Cincinnati. Dr. Latessa has published over 140 works in the area of criminal justice, corrections, and juvenile justice. He is co-author of eight books including *What Works (and Doesn't) in Reducing Recidivism*, *Corrections in the Community*, and *Corrections in America*. Professor Latessa has directed over 150 funded research projects including studies of day reporting centers, juvenile justice programs, drug courts, prison programs, intensive supervision programs, halfway houses, and drug programs. He and his staff have also assessed over 600 correctional programs throughout the United States, and he has provided assistance and workshops in over forty-five states.

Dr. Latessa served as President of the Academy of Criminal Justice Sciences (1989-90). He has also received several awards including; Marguerite Q. Warren and Ted B. Palmer Differential Intervention Award presented by the Division of Corrections and Sentencing of the American Society of Criminology (2010), Outstanding Community Partner Award from the Arizona Department of Juvenile Corrections (2010), Maud Booth Correctional Services Award in recognition of dedicated service and leadership presented by the Volunteers of America (2010), Community Hero Award presented by Community Resources for Justice, (2010), the Bruce Smith Award for outstanding contributions to criminal justice by the Academy of Criminal Justice Sciences (2010), the George Beto Scholar, College of Criminal Justice, Sam Houston State University, (2009), the Mark Hatfield Award for Contributions in public policy research by The Hatfield School of Government at Portland State University (2008), the Outstanding Achievement Award by the National Juvenile Justice Court Services Association (2007), the August Vollmer Award from the American Society of Criminology (2004), the Simon Dinitz Criminal Justice Research Award from the Ohio Department of Rehabilitation and Correction (2002), the Margaret Mead Award for dedicated service to the causes of social justice and humanitarian advancement by the International Community Corrections Association (2001), the Peter P. Lejins Award for Research from the American Correctional Association (1999); ACJS Fellow Award (1998); ACJS Founders Award (1992); and the Simon Dinitz award by the Ohio Community Corrections Organization. In 2013 he was identified as one of the most innovative people in criminal justice by a national survey conducted by the Center for Court Innovation in partnership with the Bureau of Justice Assistance and the U.S. Department of Justice.



Charlie Lauterbach is an Executive Officer with the Iowa Department of Corrections. He has worked in community-based corrections since February, 1988. Charlie was appointed Iowa's Compact Administrator in September, 1997. Upon adoption of the Interstate Compact for Adult Offender Supervision, Charlie continued to serve as Iowa's Compact Administrator. In May 2009, he was appointed Iowa's Commissioner. Charlie holds a Bachelor's Degree from the University of Iowa, Iowa City and a Master's Degree in Business Administration from the University of Phoenix, West Des Moines Campus.



Robert M. Maccarone, Esq., was appointed by Governor Andrew Cuomo in August of 2014 to serve as New York State's Commissioner and Compact Administrator for the Interstate Compact for Adult Offender Supervision. Robert Maccarone also serves as the NY State Director of Probation and is a Deputy Commissioner at the NYS Division of Criminal Justice Services, where he oversees New York's more than 200 alternative to incarceration community corrections programs. He also oversees NYS' juvenile probation interstate transfer unit, the State's Ignition Interlock Device Program, and 19 County Re-entry Task Forces. Mr. Maccarone has served four Governors, working for New York State more than 13 years. Previously, he worked as a Prosecutor--Deputy Bureau Chief-- for the Westchester County District Attorney's Office, and as a Deputy Commissioner for the County's Corrections Department. Mr. Maccarone has undergraduate and graduate degrees in Psychology and Sociology from Fordham University, and a Juris Doctor degree from PACE University.



Rick Masters is General Counsel to the Interstate Commission for Adult Offender Supervision providing legal guidance concerning the compact and its administrative rules, including application and enforcement, to the member state commissioners of ICAOS and other state officials. Rick is also a recognized subject matter expert in the field of interstate compacts and provides legal advice to several other compact governing boards and agencies.

He has testified frequently before state legislative committees concerning a wide variety of compact legislation and has also provided testimony to the U.S. Congress concerning compact consent legislation and related interstate compact legal issues. Rick has been counsel of record in a number of federal and state cases involving important interstate compact issues including a recent published decision of the U.S. Court of Appeals for the Tenth (10th) Circuit upholding the validity of the regional low-level radioactive waste compacts to which most of the states are members.

Rick has been involved in extensive research and writing in the field of interstate compacts and has published a wide variety of law review articles, bench books used by state court judges, and other publications concerning the law and use of interstate compacts. He is also the co-author of the most comprehensive compilation of legal authorities and commentary on the subject published by the American Bar Association in 2007 entitled *The Evolving Use and Changing Role of Interstate Compacts: A Practitioner's Guide*.

Rick received his Juris Doctorate from the Brandeis School of Law of the University of Louisville and his B.A. from Asbury University. He is a former Assistant Attorney General for the Commonwealth of Kentucky and also served as General Counsel to the Council of State Governments. He was recently asked by Kentucky Governor Steve Beshear to serve as a Special Justice to the Kentucky Supreme Court and in November of 2012 was appointed by the Governor to serve a four (4) year term as a member of the Executive Branch Ethics Commission.



Geri Miller-Fox began her career with the Utah Department of Corrections as a correctional officer in 1995. She is a certified correctional officer and peace officer. She has served in a variety of positions, including correctional officer, training manager, organizational development specialist, probation and parole agent, supervisor, and community correctional center director.

In 2007, Geri accepted the position of deputy director of Adult Probation & Parole, where she implemented evidence-based practices for the organization. She then accepted a unique opportunity to serve as the training director in 2010. After serving in this capacity, Geri moved back to Adult Probation and Parole in 2013, where she remains the division director over community supervision of adult offenders. The Utah Division of Adult Probation and Parole monitors more than 17,000 offenders in the community.

Geri serves as the Interstate Compact Commissioner for the State of Utah. She also serves as a Commissioner on the Peace Officer Merit Commission for Salt Lake County Sheriff's Department and the Unified Police Department.

Geri has an Associate's Degree in Science, a Bachelor's Degree in Psychology and Biology, and a Master's Degree in Public Administration. She has also served as the area chair of the University of Phoenix Criminal Justice Program for 10 years. Geri is currently working on her PhD through the University of Utah, Political Science program.



Chris Moore is a 1988 graduate of Mercer University with a BBA degree. Chris Moore's career with the GA Department of Corrections started in 1989 as a Probation Officer. In 1998, Chris was promoted to the Central Office as a Field Support Specialist. His program areas were Sex Offender Supervision and Intensive Probation Supervision. In 2005, Chris was promoted to Center Administrator of the Griffin Day Reporting Center. While in that capacity, Chris was licensed as a Certified Substance Abuse Counselor by the Alcohol and

Drug Abuse Certification Board of GA. In 2009 he was promoted to Chief Probation Officer of the Griffin Judicial Circuit and in 2012 was appointed Compact Administrator/Commissioner for the State of GA.



Jenny Nimer has over thirty years experience with the Florida Department of Corrections, serving as the Deputy Secretary of Community Corrections for the past six years. Mrs. Nimer is responsible for planning, organizing and directing operational activities for Community Corrections, with over 2,700 employees, including approximately 1,875 probation officers supervising 171,000 offenders on probation or parole programs in 131 probation offices throughout Florida.

Mrs. Nimer holds a bachelor's degree in Criminology from Florida State University and has experience working as a manager in the Department's research bureau, and as a probation officer, Deputy Circuit Administrator, Assistant Bureau Chief in the Bureau of Probation and Parole Field Services and Deputy Assistant Secretary of Community Corrections. Mrs. Nimer is a member of the Florida Council on Crime and Delinquency, member of the American Probation and Parole Association, member of the American Correctional Association, member of the Rules Committee for the Interstate Compact Adult.



Chris Norman serves as the Division Director of the Interstate Compact with the Alabama Board of Pardons and Paroles. In 2007, he was appointed by Gov. Bob Riley to serve on the Interstate Commission for Adult Offender Supervision for the State of Alabama. Mr. Norman began his criminal justice career in 1984 when he was selected to serve as a correctional officer for the Alabama Department of Corrections. In 1988 he was appointed to serve as a Probation and Parole officer with the Alabama Board of Pardons and Paroles. Prior to his selection as a Division Director he was a Field Office Supervisor.

Additionally, Mr. Norman is a councilman for the City of Bay Minette, Alabama. He is a member of the Baldwin County Alabama Indigent Defense Committee and a charter member of the North Baldwin County Coalition for Excellence in Education. He holds a Bachelor of Science Degree in Sociology from Alabama State University and a Master of Science Degree in Criminal Justice from Troy State University.



Patricia Lyn Odell is a proud graduate of the Meeteetse High School, Meeteetse, WY. She holds a BA from the University of WY (1982) and JD from the University of WY (1985). She is a member of the WY State Bar Association. Pat has been with the Wyoming Department of Corrections for 25 years.



Colette S. Peters was appointed to serve as Director of the Oregon Department of Corrections (DOC) in February 2012. She was named by Oregon's Governor to lead DOC after serving as the Director of the Oregon Youth Authority (OYA) for several years. Prior to her role at OYA, Ms. Peters served as DOC's Inspector General and Assistant Director for Public Services.

As DOC Director, Ms. Peters oversees the operations and policies of a corrections agency responsible for managing approximately 14,500 incarcerated adults in 14 prisons across the state. She has ultimate responsibility for the management of a department with 4,500 employees and a biennial budget of \$1.4 billion. Ms. Peters also works closely with Oregon's state-funded community corrections agencies to coordinate the local supervision of more than 31,500 offenders on probation and parole.

Ms. Peters has gained a national reputation as a champion of using research and data to drive decision-making, improve outcomes for youth and adults in custody, and increase agency efficiency and effectiveness. As OYA Director, her achievements included overseeing the development of new, more effective assessment tools to evaluate youth offenders' risk factors, treatment needs, and likelihood to reoffend. She also enhanced the agency's ability to quickly move youth into the appropriate treatment settings to ensure they receive the individualized supports they need to become productive, crime-free members of society. As DOC Director, Ms. Peters is continuing to provide research-informed, innovative leadership. In 2014, she was appointed by U.S. Attorney General Eric H. Holder, Jr. as a member of the National Institute of Corrections Advisory Board.

During her previous roles with DOC, Ms. Peters led the way in re-designing the Office of Inspector General, built long-lasting relationships with key stakeholders and policy makers, advanced the principles of the Oregon Accountability Model, and played a key role in helping DOC accomplish its mission. Ms. Peters brings with her a wealth of knowledge that includes experience in adult and juvenile corrections, work on behalf of victims' rights, and involvement with legislative leaders and law enforcement agencies in Minnesota and Colorado.

A native of the Midwest, Ms. Peters earned her master's degree in criminal justice from the Graduate School of Public Affairs at the University of Colorado in Denver, and a bachelor's degree in psychology from the College of Saint Benedict in Saint Joseph, Minnesota.



Anne L. Precythe is the first female Director of Community Corrections. She brings 27 years of service with the agency to her new role. Employed with the Division of Community Corrections since 1988 as a Probation/Parole Officer in Duplin County, since then she has served in many capacities within the Division.

In 1999, Anne transitioned into a Quality Assurance role where she assisted managers in using data to manage operations and in 2003, was promoted to Lead Community Corrections Analyst supervising all quality assurance personnel and leading the agency in effective case management strategies.

In January 2006, Director Precythe was promoted to the position of Interstate Compact Administrator and named Deputy Commissioner to the Interstate Compact. In 2007, Anne became a national trainer with the Interstate Compact for Adult Offender Supervision office out of Kentucky. In 2008, she was presented with the National Interstate Commission for Adult Offender Supervision Executive Director's Award. She remains active with the National Commission, serving as the current Chair of the Training Committee and sits on the Executive Committee as well.

In January 2010, she assumed the responsibility of EBP Project Implementation Manager for the Division of Community Corrections and in August 2011, became the Supervision Services Administrator which also includes oversight of the sex offender management program, technology services, in-service training and all DCC programs (TECS, Transitional Housing, Community Intervention Centers, DART, Black Mountain, Drug Screening and labs, etc) and services.

Anne serves and has served on various councils and commissions throughout her career. She is a long standing member of the North Carolina Probation/Parole Association as well as the Correctional Peace Officer Foundation. She was most recently appointed to the North Carolina Interagency Council for Coordinating Homeless Programs (NCICCHP). In 2015, Anne was appointed by United States Attorney, Eric Holder to the National Institute of Corrections Advisory Board, representing all of Community Corrections across the country.

Anne is married with two married daughters and a grandson. During her spare time she enjoys golfing and spending time at the beach and lake.



Gary Roberge is the Director of Adult Probation and Bail Services for the State of Connecticut – Judicial Branch’s Court Support Services Division as well as the Commissioner of Interstate Compact for Connecticut. He has over 27 years of criminal justice experience within the Branch. Prior to obtaining supervisory and managerial positions, his career began with the Office of the Chief Bail Commissioner as a line officer providing direct service to the courts.

Mr. Roberge has spent the past 16 years working within the Connecticut Judicial Branch’s Court Support Services Division managing and now directing adult probation and bail field operations. He directs over 700 line and supervisory probation and pretrial staff who supervise over 41,000 probationers and 16,000 pretrial release cases.

Mr. Roberge is also a member of the Interstate Compact Executive Committee and is the Chair of the Interstate Compact Technology Committee. He is also the Co-chair of the Sex Offender Assessment and Management Sub-committee for the Connecticut Sentencing Commission.

Mr. Roberge received a Bachelor of Science Degree from Eastern Connecticut State University and Master of Public Administration Degree from the University of Hartford. He is also an adjunct professor in the Central Connecticut State University Criminology Department.



Jane Seigel Jane Seigel is the Executive Director of the Indiana Judicial Center. The Indiana Judicial Center conducts education programs for judicial officers, probation officers, court alcohol and drug program staff and problem-solving court staff, and other court employees. Ms. Seigel and staff members regularly attend legislative hearings and testify on upcoming court, probation, interstate compact, criminal and juvenile legislation. Ms. Seigel oversees the staff responsible for providing research services for the judicial branch, administering the interstate compact, certifying probation officers, certifying court alcohol and drug programs, and certifying problem-solving courts. The Center provides staff support for all the committees of the Judicial Conference of Indiana. As the Executive Director, Ms. Seigel chairs the newly created Justice Reinvestment Advisory Council, serves on the Board of Trustees of the Indiana Criminal Justice Institute, serves on the Juvenile Justice State Advisory Group, and serves as Indiana’s Commissioner on

the Interstate Commission for Adult Offender Supervision and the Interstate Juvenile Compact. She is Chair of the Rules Committee for the Adult Interstate Commission and serves on its Executive Committee. She also serves on the State Steering Committee for the Juvenile Detention Alternatives Initiative (JDAI) and is a member of the Annie E. Casey's JDAI Applied Leadership Network. Prior to assuming this position, she served as the General Counsel for the Indiana Association of Cities and Towns and worked in various legal positions at the Indianapolis-Marion County City-County Legal Division, now known as the Office of Corporation Counsel. Ms. Seigel received her B.A. degree from DePauw University and her J.D. Degree from Indiana University School of Law at Indianapolis. She is married and has two grown children.



Jeremiah Stromberg is currently serving as the Assistant Director of Community Corrections for the Oregon Department of Corrections. This role includes oversight of the community corrections grant in aid funding; development of statewide legislation, policies, and rules that govern community corrections; Jail Inspections; liaison between the Counties of Oregon and the Department of Corrections, and of course Interstate Compact.

Jeremiah served on the Oregon Board of Parole & Post-Prison Supervision from 2009-2012, first as the Executive Director before being appointed by Governor John Kitzhaber as a member of the Board.

From 1997-2009, worked for Multnomah County Department of Community Justice in Portland, Oregon in a variety of roles including: Lead of the Juvenile Sex Offender Treatment Unit within the Juvenile Detention Center; Manager of the Adult Secure Residential Treatment Program; Manager of the START Drug Court; Manager of the Parole and Probation Domestic Violence Unit, and finally Manager of the Local Control Supervision Unit.



Margaret E. Thompson graduated from Pennsylvania State University in 1977 with a Bachelor of Science Degree in Vocational Rehabilitation Education and Counseling. After graduation, she spent the next 13 years in Peru and Europe before returning to the United States in 1989. Shortly after her return, she joined the York County Adult Probation Department as a bilingual probation officer for 8 years, specializing in the female offender population. She then served 5 years as Supervisor of the Intermediate Punishment, Pre-sentence Investigation, and Pre-Trial Intervention Units. In 2002, she began her career as Director of Interstate Probation Services with the Pennsylvania Board of Probation and Parole, which included the title of Deputy Compact Administrator. Ms. Thompson is a trainer for the ICAOS Training Committee and an ex-officio member of the PA State Council for the Interstate Commission for Juveniles.



Patricia Tuthill: following the murder of her daughter, Peyton Tuthill in 1999, Pat left her career as director of human Resources with a medical center, to become a legislative activist, public speaker and advocate for victims issues and public safety. She lobbied all 50 states to pass a new, tougher Interstate Compact for Adult Offender Supervision (ICAOS) that governs the interstate relocation and transfers of probationers and parolees across the country. In October 2005, she joined Governor Romney as he signed Compact legislation

in Massachusetts achieving her dream of enacting the Compact in all states. She has been referred to as an “outspoken” advocate in promoting public safety and victims’ rights. Pat has become a national speaker and trainer for criminal justice professionals, victims groups, judiciary, and policy makers.

She received the Ronald Reagan Public Policy Award from US Attorney General Eric Holder in 2014 championing the implementation of a national automated victim notification system. APPA awarded her Judge Joe Kegans Award for Victim Services in 2011.

Pat founded the Peyton Tuthill Foundation that awards college scholarships to children who have been left behind by homicide, assist survivors and victims in navigating the criminal justice system to ensure their rights are protected, and promote restorative justice. \$43,000 awarded as of 2015. As a result of her work she has filmed several documentaries. MSNBC, ID Discovery, BBC Discovery Channel, and French documentary titled Human that premiered at the United Nations in September 2015.

Appointments: Ex-Officio Victims' Representative to the National Commission for the Interstate Compact; Appointed by former Governors Bush and Christ and most recently Governor Scott as the victim representative to the Florida State Compact Council; Appointed as the victim representative to the Florida State Council for the Interstate Juvenile Compact; Appointed as the victim representative to the Florida Juvenile Justice State Council for the Interstate Juvenile Compact; American Corrections Association Delegate. She is a graduate of Southern Illinois University and holds a MS in Human Resources Management and is a member of APPA, Victim Issues Committee, POMC, and NOVA



Annual Business Meeting Compact Member Attendee List

ALABAMA	 <p>Chris Norman Commissioner, Vice Chair</p>	 <p>Lee Ishman DCA</p>	
ALASKA	<p>Carrie Belden Commissioner</p>	 <p>Kathryn Luth DCA</p>	
ARIZONA	 <p>Dori Ege Commissioner/ DCA Probation</p>	<p>Lisa Svoboda DCA Parole</p>	
ARKANSAS	 <p>Shelia Sharp Commissioner</p>	 <p>Linda Mustafa DCA</p>	
CALIFORNIA	 <p>Daniel Stone Commissioner</p>	 <p>Anthony Pennella DCA</p>	
COLORADO	<p>Alison Morgan Commissioner</p>	 <p>Joe White DCA Parole</p>	 <p>Devon Whitefield DCA Probation</p>
CONNECTICUT	 <p>Gary Roberge Commissioner, Technology Committee Chair</p>	<p>Fred Watton DCA Parole</p>	 <p>Natalie Latulippe DCA Probation</p>
DELAWARE	 <p>Alan Grinstead Commissioner</p>	<p>John Sebastian DCA</p>	
DISTRICT of COLUMBIA	 <p>Nancy Ware Commissioner</p>	<p>Elizabeth Powell DCA</p>	
FLORIDA	 <p>Jenny Nimer Commissioner</p>	 <p>Tim Strickland DCA</p>	 <p>Shari Britton Compact Administrator</p>
GEORGIA	 <p>Chris Moore Commissioner, South Region Chair</p>	 <p>Jenna James DCA Parole</p>	 <p>Miriam Dyson DCA Probation</p>

HAWAII



Sidney Nakamoto
Commissioner



Michael Knott
DCA Parole



Brook Mamizuka
DCA Probation

IDAHO



Denton Darrington
Commissioner



Judy Mesick
DCA

ILLINOIS



Michelle Buscher
Commissioner



Holly Kassube
DCA Probation

INDIANA



Jane Seigel
Commissioner, Rules
Committee Chair



Turran Blazier
DCA Probation

IOWA



Charles Lauterbach
Commissioner,
Treasurer



Simona
Hammond
DCA

KANSAS



Kathleen Graves
Commissioner



Matthew
Billinger
DCA

KENTUCKY



Roberto "Bob"
Rodriguez
Commissioner



Emily Robinson
DCA Parole



Steve Turner
DCA Probation

LOUISIANA



Genie Powers
Commissioner



Gregg Smith
DCA

MAINE



Scott McCaffery
Commissioner

MARYLAND

Judith Sachwald
Commissioner



Melanie Brock
DCA

MICHIGAN



Russell Marlan
Commissioner



Joseph Beaman
DCA

MINNESOTA

Allen Godfrey
Commissioner



Rose Ann Bisch
DCA

MISSISSIPPI	 Christy Gutherz Commissioner	 Richie Spears Compact Administrator/ DCA	
MISSOURI	 Ellis McSwain Commissioner	 Lori Zuroweste DCA	
MONTANA	 Cathy Gordon Commissioner		
NEBRASKA	 Catherine Gibson-Beltz Commissioner, Midwest Region Chair	 Sally Reinhardt- Stewart DCA Parole	 Jacey Nordmeyer DCA Probation
NEVADA	 Kim Madris Commissioner	 Shawn Arruti DCA	
NEW HAMPSHIRE	 Mike McAlister Commissioner	 Jeanne Stewart DCA	
NEW JERSEY	 Craig Schindewolf Official Designee/ DCA Parole	 John Gusz DCA Probation	
NEW MEXICO	 Roberta Cohen Commissioner	 Victoria Vigil DCA	
NEW YORK	 Robert Maccarone Commissioner	 Felix Rosa DCA Parole	 Matthew Charton DCA Probation
NORTH CAROLINA	 Anne Precythe Commissioner, Training Committee Chair	 Jay Lynn DCA	
NORTH DAKOTA	 Charles Placek Commissioner	 Amy Vorachek Compact Administrator	 Janice Young DCA
OHIO	 Sara Andrews Commissioner, Chairwoman	 Suzanne Brooks DCA	

OKLAHOMA



Milt Gilliam
Commissioner, Past
Chair

OREGON



Jeremiah Stromberg
Commissioner,
Compliance Committee
Chair



Mark Patterson
DCA

PENNSYLVANIA



Margaret
Thompson
DCA Probation

PUERTO RICO



Raquel Colón
Commissioner / DCA

RHODE ISLAND



Laura Queenan
Official Designee
DCA

SOUTH CAROLINA

Jerry Adger
Commissioner



Victoria Jakes
DCA

SOUTH DAKOTA

Doug Clark
Commissioner

Sarah Ball
DCA Parole



Nancy Allard
DCA Probation

TENNESSEE



Bobby Straughter
Commissioner



Debbie Duke
DCA

TEXAS

Stuart Jenkins
Compact Administrator



Regina Grimes
DCA



Ethel White
DCA

UTAH



Geri Miller-Fox
Commissioner, DCA
Liaison Committee
Chair



Jim Ingle
DCA

VERMONT



Dale Crook
Commissioner, East
Region Chair



Donna Pratt
DCA

VIRGINIA



James Parks
Commissioner



Julie Lohman
DCA

WASHINGTON	 Anmarie Aylward Commissioner, West Region Chair	 Marjorie Martin DCA
WEST VIRGINIA	Diann Skiles Commissioner	 Amy Kirk DCA
WISCONSIN	 Tracy Hudrlik Commissioner	 Mary Evans DCA
WYOMING	 Dawn Sides Commissioner	 Patricia Odell DCA

EX OFFICIO MEMBER ATTENDEES

American Probation and Parole Association (APPA)	Dee Bell
Association of Paroling Authorities International (APAI)	 Keith Hardison
Association of Prosecuting Attorneys (APA)	 David LaBahn
Interstate Commission for Adult Offender Supervision, Victims' Advocate (ICAOS)	 Pat Tuthill
Interstate Commission for Juveniles (ICJ)	 Ashley Lippert
National Association for Public Defense	 Alex Bassos
National Conference of State Legislatures (NCSL)	 Craig Tieszen
National Organization for Victim Assistance (NOVA)	James Gierke

NATIONAL OFFICE STAFF



Harry Hageman, Executive Director



Lori Meister, Assistant Director



Mindy Spring, Audit and Training Coordinator



Xavier Donnelly, ICOTS Manager



Kevin Terry, Web Analyst



Barno Saturday, Logistics and Administrative Coordinator

LEGAL COUNSEL



Rick Masters, General Counsel