



## Interstate Commission for Adult Offender Supervision

### Compliance Committee Meeting MINUTES

July 18, 2019 · 2: 00 pm ET  
Teleconference

---

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

1. Allen Godfrey (MN), Chair
2. Merideth McGrath (CO)
3. James Berry (DC)
4. Hope Cooper (KS)
5. Cathy Gordon (MT)
6. Amy Vorachek (ND)
7. Jacey Rader (NE)
8. Dale Crook (VT)
9. Tina Balandran (TX), Ex-Officio

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

1. Suzanne Brooks (OH), Ex-Officio

#### **Staff:**

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Barno Saturday, Logistics and Administrative Coordinator
4. Kevin Terry, Website Analyst
5. Xavier Donnelly, ICOTS Project Manager
6. Mindy Spring, Administrative and Training Coordinator

#### **Call to Order**

Chair A. Godfrey (MN) called the meeting to order at 2:00 p.m. ET. Executive Director A. Lippert called the roll. All voting members were present, establishing a quorum.

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

**Commissioner J. Rader (NE) moved to approve the agenda as presented. Commissioner D. Crook (VT) seconded. Agenda approved.**

**Commissioner J. Berry (DC) moved to approve the minutes from May 20, 2019 as drafted. Commissioner C. Gordon (MT) seconded. Minutes approved.**

#### **Discussion**

*Annual Compliance Standards Update:* Executive Director A. Lippert presented the compliance dashboard standards results. She reminded that the committee decided to lengthen the compliance dashboard review process to an annual review, given that one quarter was not sufficient time to gather adequate data for many smaller states. She noted that quarterly email updates had been sent to Commissioners reflecting their compliance via the dashboards.

The committee reviewed data for the FY 2019 fiscal year; seven states did not meet the eighty percent compliance requirement – Colorado, Hawaii, Kentucky, New Mexico, South Carolina, Utah, and Wisconsin.

Executive Director A. Lippert noted that four states were one or less percent under the 80% threshold and added that both Wisconsin's commissioner and DCA had been working with the national office throughout the year and had improved their score significantly. Their end of the year score was 77%.

The committee decided to notify these states about their compliance results and direct a follow-up review at the end of the next fiscal quarter - September 30, 2019. The Compliance Committee will take further actions if these states fail to take corrective action and raise compliance within the allotted period.

**Commissioner J. Rader (NE) moved to notify Colorado, Hawaii, Kentucky, New Mexico, South Carolina, Utah, and Wisconsin of non-compliance results and direct a follow-up review at the end of the next fiscal quarter. Commissioner D. Crook (VT) seconded.**

**Commissioner H. Cooper (KS) requested to add acknowledgement of state's efforts throughout the year in the letter.**

**Motion passed.**

*Compliance Update: Kentucky Commissioner and New Mexico State Council:* Executive Director A. Lippert informed the committee that Kentucky's commissioner position had been vacant since March. She had been in contact with their Boards and Commissions Office and their DCA. Their State Council will be meeting on July 30<sup>th</sup> to appoint a commissioner. At its June meeting, the Executive Committee authorized legal actions against the Commonwealth of Kentucky if no appointment was made by August 3.

Executive Director A. Lippert stated that in March, the Executive Committee instructed Legal Counsel to send a 90-day letter to New Mexico for failure to provide State Council information per Administrative Policy 03-2009. New Mexico's commissioner submitted a list of recommended individuals to the Governor for approval, but her appointments were pending. The Executive Committee sent a letter to the Governor finding New Mexico in default for failure to appoint a state council and giving them a 30-day notice to comply. This notice will expire on August 8.

### **Old Business**

*Formal Complaint - Arizona v. Oklahoma:* Executive Director A. Lippert informed the committee that the Executive Committee accepted the Compliance Committee's recommendation to find the State of Oklahoma in default of the Compact under Article IX for its failure to issue compact compliant warrants and impose a fine of \$10K for the State of Oklahoma to hold in abeyance for a period of twelve months upon acceptance of the corrective action plan and its successful implementation. Oklahoma has until July 20, 2019 to submit their Corrective Action Plan.



### **New Business**

Executive Director A. Lippert stated that the US Virgin Islands had four compliance standards under 80% threshold. The Executive Committee approved sending a delegation to this member territory to provide support and guidance on how to resolve their ongoing noncompliance matters.

Chair A. Godfrey (MN) discussed a process of notifying the Governor when a state was found in default.

Commissioner D. Crook (VT) recommended documenting the process and circumstances of non-compliance notifications send to the Governor's office in the Bylaws, rules, or a policy.

Executive Director A. Lippert stated that a notice goes to the Governor, when a state does not comply with a statutory requirement. When a state is found in default in a complaint, the Commission has not generally sent a notice to the Governor informing them. She suggested bringing it up at the Litigation Session at the Annual Business Meeting.

Commissioner J. Rader (NE) stated that some Compact offices were operating under Judicial Branch and suggested sending notices of default to a chief justice rather than the Governor of that state. The committee decided to table the discussion until its October meeting.

Chair A. Godfrey (MN) stated that the committee would also review its mission and goals at the October meeting. The committee will not take any significant actions and will schedule another meeting a few months after the ABM to review the FY 2020 audit results.

### **Adjourn**

**Commissioner C. Gordon (MT) moved to adjourn. Commissioner J. Berry (DC) seconded.**

Meeting adjourned at 2:52 pm ET.