



## **Interstate Commission for Adult Offender Supervision**

### **Executive Committee Meeting MINUTES**

**March 19, 2019 • 8:30 am ET**

**The Brown Hotel, Louisville, KY**

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

1. Jeremiah Stromberg (OR), Chair
2. Hope Cooper (KS), Vice-chair
3. Gary Roberge (CT), Treasurer
4. Chris Moore (GA), Information Technology Chair
5. Russell Marlan (MI), Midwest Region Chair
6. Allen Godfrey (MN), Compliance Committee Chair
7. Roberta Cohen (NM), West Region Chair
8. Doug Clark (SD), Rules Committee Chair
9. Brody Burks (TX), South Region Chair
10. Dale Crook (VT), East Region Chair
11. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio
12. Richard Barajas (NOVA), Ex-Officio
13. Rick Masters, Legal Counsel

#### **Members not in Attendance:**

1. Jacey Rader (NE), Training, Education and Public Relations Committee Chair
2. Sara Andrews (OH), Past Chair Ex-Officio

#### **Staff:**

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

#### **Call to Order**

Chair J. Stromberg (OR) called the meeting to order at 8:30 am ET; ten voting members were present, establishing a quorum.

#### **Agenda and Minutes**

**Commissioner C. Moore (GA) moved to approve the agenda as presented. Commissioner B. Burks (TX) seconded. Agenda approved.**

**Commissioner D. Crook (VT) moved to approve the minutes from February 20, 2019 meeting as drafted. Commissioner A. Godfrey (MN) seconded. Minutes approved.**

#### **Discussion**

*Compliance Committee Report:* Commissioner A. Godfrey (MN) informed the committee that the U.S. Virgin Islands had a new Governor who dismissed Commissioner R. Mullgrav from his position, a new commissioner had not been appointed yet.

Executive Director A. Lippert stated that the commissioner's position was not vacant long enough to bring it to the Executive Committee's attention, however, the U.S. Virgin Islands chronically struggled with filling their commissioner's position.

The committee discussed using a personal approach by sending a delegation to the U.S. Virgin Islands to bring the territory back to compliance.

Commissioner A. Godfrey (MN) updated the committee on the status of the Minnesota vs California complaint. In June 2018, Minnesota filed a complaint against the State of California for terminating supervision on an offender subject to mandatory retaking. California accepted fault in this case and included a corrective action plan in their response. The Executive Committee approved acceptance of the corrective action plan and the imposition of a \$25 K fine, which would be vacated upon completion of the corrective action plan. To date, California submitted two corrective action reports.

Chair J. Stromberg (OR) noted that there had been significant commissioner and DCA turn over in California. He suggested for California to continue identifying areas for improvements.

Commissioner R. Cohen (NM) noted that the upcoming warrant audit should reveal any gaps in California's standing in this matter.

**Commissioner D. Crook (VT) moved to accept California's 1st and 2nd quarter corrective action reports. Commissioner G. Roberge (CT) seconded.**

**Chair J. Stromberg (OR) requested to add "and require a final report to be submitted no later than August 30, 2019".**

**Commissioners D. Crook and G. Roberge agreed to the amendment.**

**Commissioner A. Godfrey (MN) abstained from voting.**

**Motion passed.**

Commissioner A. Godfrey (MN) stated that the Compliance Committee will meet later this summer to establish the baseline for the FY 2020 compliance audit on warrants. In FY 2021, the committee plans to reevaluate the states who failed to meet the baseline in FY 2020.

Commissioner B. Burks (TX) stated that in Texas, warrant tracking was overseen by local county sheriffs. He added that for large states, one year might not be enough to establish good practices and procedures to track warrants.

Chair J. Stromberg (OR) emphasized the importance of this audit to be meaningful and impactful to states helping them to set up and organize warrant tracking procedures and policies and not to punish a state who does not have them. He added that the upcoming year could be a year of

significant training. Based on the final results, the Executive Committee could change the direction of FY 2021 audit.

**Commissioner D. Crook (VT) moved to establish the FY 2021 audit to focus on compliance of warrants based on a baseline to be set after the conclusion of the FY 2020 audit and reevaluate states' compliance. Commissioner D. Clark (SD) seconded. Motion passed.**

*DCA Liaison Committee Report:* DCA T. Hudrlik (MN) stated that at its last meeting, the DCA Liaison Committee established its goals and discussed DCA newsletter articles and ICOTS enhancement recommendations. Some of the enhancements were focused on language change and the others were focused on changes to the violation reports.

DCA T. Hudrlik (MN) stated that the biggest focus of the DCA Liaison Committee this year was conversations around reopening absconder cases. She noted that based on the national office data analysis, absconders are the most reported type of violation requiring retaking since the rules and ICOTS changes in 2017. In 2018, absconders made over 60% of violation reports requiring retaking. This was a topic thoroughly discussed at the DCA Training Institute, region meetings, DCA region meetings, and the DCA Liaison Committee meetings. States express their concerns about the legal liability with reopening closed cases. She added that there was no uniformity in handling these cases.

DCA T. Hudrlik (MN) stated that this topic raises multiple questions about liability, accountability, responsibility, training, original agent's availability, timeframes, situations involving a third state, and issuing and recalling a warrant after the absconder was apprehended.

Legal Counsel R. Masters cited the Compact Rules on reopening compact cases and added that states face more legal problems if they did not reopen these cases.

Training Coordinator M. Springs noted that not every absconder becomes the compact offender. Rule 5.103-1 on absconder and retaking describes specific group of offenders, and once these offenders are apprehended in the receiving state, it becomes a retaking situation. She noted that when a case is closed, it cannot be tracked via ICOTS.

The committee asked Legal Counsel to write an opinion clarifying what the rules currently state outlining liability issues.

**Commissioner G. Roberge (CT) moved to direct Legal Counsel to address questions raised by the DCA Liaison Committee around reopening absconder cases. Commissioner D. Crook (VT). Motion passed.**

*Finance Committee Report:* Commissioner G. Roberge (CT) stated that the Commission was in solid financial health. The Commission has \$1,247 K in its saving account and \$230 K in its checking account.

The Commission Vanguard investment account went up 0.2% since the last statement. The Executive Committee wants to maintain 60 to 40% stock and bond ratio. Currently, 59% of Commission's investment is in stocks and 40.7% in bonds. In FY 2018, the balance in long-term investments was \$1,657K. The last statement showed the balance of \$1,705.8K.

Executive Director A. Lippert presented amended FY 2020 and proposed FY 2021 budget to the committee for review.

She commented on the following budget items:

FY 2020 Amended Budget:

- Line 61009: Payroll Tax adjusted according to spending. Initial allocation was an estimate based on current tax rates.
- Line 61040: Accounting increased by \$1,500 for actual costs to conduct fiscal audit. Previous allocation was an estimate.
- Lines 62090 and 62130: Computer services and outside web support increased by \$7,000 in accordance with spending and economic increases.
- Line 62280: Insurance reduced by \$250 in accordance with spending.
- Line 32310: Photocopy reduced by \$1,000 in accordance with spending.
- Line 11354: ICOTS reduced by \$60k eliminating the need to access cash reserves to balance the budget. (Savings are a result of discontinuing IVINS and lowering enhancement budget.)

FY 2021 Proposed Budget:

- To balance the FY2021 budget, \$57k moved from cash reserves.
- Line 61000-Benefits: Estimated based on increase in benefit renewal, which occurs mid-year.
- Lines 61009 and 61040: Adjusted for economic increase.
- Line 11366-Rules Committee: Adjusted for rule making year.
- Line 11354 - ICOTS: Reduced by \$60k. (Savings are a result of discontinuing IVINS and lowering enhancement budget.)

**Commissioner R. Cohen (NM) moved to adopt the revised FY 2020 budget as presented. Commissioner B. Burks (TX) seconded. Motion passed.**

**Commissioner D. Crook (VT) moved to recommend the FY 2021 budget for Commission's approval as presented. Commissioner R. Marlan (MI) seconded. Motion passed.**

Commissioner G. Roberge (CT) noted that the dues had not been raised in last 13 years, he added that the cost of services and goods was going up, and eventually, the Commission should revisit the dues formula accordingly to avoid states incurring a significant increase at once.

Executive Director A. Lippert noted that the formula was outlined in Rule 2.103 and was based on population and compact transfer totals. Every 10 years the dues were adjusted based on the national census results. She added that it was recommended for an organization to keep 100% of operational funds in its accounts.

*Technology Committee Report:* Commissioner C. Moore (GA) presented his report to the committee:

- ICOTS Helpdesk – The existing bug regarding the ‘return to sending state’ option on the response to violation report activities was resolved with the latest ICOTS release. During the latest enhancement release, two new bugs were introduced and identified the day of the launch. Appriss addressed both issues within 48 hours of reporting them.
- FY 2019 ICOTS Enhancements – Appriss launched new ICOTS enhancements involving new or updated email notifications on March 6. The next code release is tentatively scheduled for next month. This release will include five new enhancement items. Two of the items will require compact office training, as they involve new functionality and processes. The national office is working with the Training Committee to schedule training prior to the next release. The remaining three items are improvements to user experience.
- Upcoming ICOTS Enhancements/Rules Amendment Changes – As the drafts of the proposed rule amendments are finalized, the national office is working with the Rules committee to review the proposals with ICOTS impact. Amendments requiring changes to ICOTS will be sent to Appriss for cost estimates. No enhancement requests have yet been submitted since the new policy was implemented. Two regions have expressed interest in submitting new enhancement ideas to their members and then sending to the Technology Committee.
- ICAOS Dashboards – The national office launched new dashboards last week. The first set of dashboards, covering victim notification activities for both incoming and outgoing cases, were created at the request of Virginia. These dashboards used the criteria for the report discussed by the Technology Committee workgroup as an alternative to IVINS.

The second set of dashboards are a summary of compact cases processed within a date range, for both incoming and outgoing cases. Users have the ability to filter the report on special status, in addition to felony and misdemeanor statuses.

The third set of dashboards provide a summary breakdown of the acceptance and rejection rates on compact transfers, for both incoming and outgoing cases. States can see their overall and discretionary acceptance rates, the breakdown of acceptance rates for states with which they share the most cases, and the acceptance rates for cases broken down by transfer reason.

*Rules Committee Report:* Commissioner D. Clark (SD) stated that the Rules Committee was a diverse committee with all regions and state sizes represented. The committee completed its monthly meetings to vet submitted rule proposals and was getting ready for its face-to-face

meeting in April. At its next meeting, the committee will review and discuss victim notification, warrant timeframes, domestic violence offenders', misinterpretation of the term "relocate", and the sex-offender rules. He mentioned the committee's discussion on lifetime supervision.

Commissioner D. Clark (SD) stated that the Rules Committee convened a sex-offender workgroup to review and finalize its draft of Rule 3.101-3 that addressed the specific concerns provided to the Rules Committee by the Executive Committee and the regions earlier last year. The Rules Committee will vote on this proposal at its April's meeting.

The Rules Committee member and Commissioner J. Nimer (FL) retired last week. Newly appointed Commissioner J. Winkler (FL) joined the Rules Committee.

Commissioner D. Clark (S) thanked the national office for its support.

*Training Committee Report:* Commissioner J. Rader (NE) was not able to attend the meeting. In her written report, she provided information on the ICAOS training, DCA Liaison Committee Chair T. Hudrlik and she conducted at the APPA Training Institute last week. The workshop focused on the Interstate Compact and substance abuse and behavioral health issues. At the institute, she learned about a presentation platform by Mentimeter that promotes audience's engagement and participation.

The national office submitted a proposal to present at APPA Training Institute in San Francisco in 2020.

The Training Committee will partner with the DCA Liaison Committee to work on the 2019 Annual Business Meeting content. They plan to incorporate the reopening absconder cases topic as it has been a discussion item since the last annual business meeting.

Executive Director A. Lippert will present on the Interstate Compact at the APAI Annual Training Conference in Baltimore, MD this April.

*ABM Workgroup Report:* Commissioner H. Cooper (KS) reported to the committee that the ABM workgroup put together a robust 2019 ABM agenda at its face-to-face meeting in Austin, TX. The workgroup carefully reviewed the post ABM survey and addressed every feedback provided. The workgroup recommends honoring the spirit sighting awards winners by displaying the information on posters throughout the meeting, rather than during the reception.

The committee reviewed the proposed agenda:

Monday, October 7, 2019

- Executive Committee Meeting
- Public Hearing

Tuesday, October 8, 2019

- Opening remarks by Commission Chair, Vice Chair and ICAOS Executive Director
  - Introduce national office staff
- Presentation #1 (1.45hr):

- Rule amendment discussion to include sex offender rule
- Regions meet (1.15 hr):
  - Region chair elections
  - Other region topics
- New Commissioner Lunch (no speaker)
- Presentation #2 (1hr):
  - Supervision in the Receiving State
- Presentation #3 (1.45hr):
  - Opioid Initiative Panel – Judge Slone (TN), Judge Cleary (IN), and Judge Bailey (WV)
  - Best practices and results of initiative

Executive Director A. Lippert stated that Judge Slone expressed his interest to work with the Commission.

Commissioner R. Marlan (MI) suggested adding a provider or a treatment expert to diversify the panel.

DCA T. Hudrlik (MN) stated that the latest APPA Training Institute was focused on substance abuse. She will review the APPA agenda for additional panelist ideas.

Legal Counsel R. Masters recommended M. Buenger as a panelist. Mr. Buenger is CEO for the National Center for State Courts and is familiar with the Compact and its process.

- Reception

Wednesday, October 9, 2019

- Opening remarks by Commission Chair and California Officials (to include California supervision practices)
- Presentation #4 (1 hr):  
Ex Officio Panel or Presentation – Ex Officio members introduce themselves and their organization. Moderated by the Chair.
- Committee Reports presented after the break. Rules Committee to present amendments last. (1.45 hr).
- Lunch (on own)
- Presentation #5 (2hrs):  
Executive Session – Litigation matters. Handling litigation within your state. A presenter will discuss current litigation the Commission is involved in as well as litigation within the state. Executive Director A. Lippert will work with R. Masters on details for this presentation.

DCA's will have their own session during this time. The DCA Liaison Committee is tasked to come up with topics for discussion.

The committee discussed warrants as a possible topic for discussion at the DCA session.

DCA T. Hudrlik (MN) stated that last year's random seat assignment during training sessions received great reviews. She recommends randomly assigning seats this year as well.

- Face to Face Committee meetings (45min) – No business, just wrap up and goals for upcoming year.

Executive Director A. Lippert stated that for the first time, this year, the national office did not have to recruit commissioners to join a committee. There have been a lot of interest in joining committees after the last year's face-to-face committee meetings.

Commissioner A. Godfrey (MN) supports the recommendation for no official business during the face-to-face committee meetings.

- Return to main session for New/Old Business and awards / oath of office for Region Chairs
- Executive Committee to meet following adjournment

Chair J. Stromberg (OR) stated that the follow up Executive Committee meeting could take place via WebEx as it did last year.

Executive Director A. Lippert noted that the Commission would incur an additional \$5,000 in room rental fees to accommodate additional meeting rooms.

Commissioner R. Marlan (MI) noted that the face-to-face meetings provide a lot of value and expressed his approval for the additional fees.

Executive Director A. Lippert suggested the region chairs to remind their regions about AP 01-2019 Enhancement Requests for Electronic System Authorized by the Commission and timelines associated with it, if they plan to propose any changes to ICOTS. She added that this year was a rules year, and development of new enhancements will be postponed for a year to complete ICOTS changes resulting from the new rule amendments.

This year prior to the ABM, the regions should hold their DCA region chair elections. The DCA region chairs elections occur every other year.

**Commissioner A. Godfrey (MN) moved to approve the 2019 ABM agenda. Commissioner R. Marlan (MI) seconded. Motion passed.**

*East Region Report:* Commissioner D. Crook (VT) stated that the East Region met without a quorum in January 2019. He cancelled the second region meeting scheduled for February 2019, since no rule proposals were submitted. The region will meet again on May 14, 2019. The East Region has one commissioner vacancy in the U.S. Virgin Islands. He thanked the national office staff for their support.



*Midwest Region Report:* Commissioner R. Marlan (MI) stated that his region has not met since the last Executive Committee meeting.

*South Region Report:* Commissioner B. Burks (TX) stated that the South Region has not met since the last Executive Committee meeting. At its last meeting, he asked the region to track and share information on any current pending legislation that would impact Compact cases at their future meetings. He cancelled the second region meeting scheduled for February 2019, due to lack of new rule proposals to discuss.

*West Region Report:* Commissioner R. Cohen (NM) informed the committee that the West Region met on January 23, 2019 to discuss rule proposals and reopening absconder cases. The region has meetings scheduled for April and July 2019. The West Region welcomed Rebecca Brunger, a new commissioner from Alaska.

*Executive Director Report:* Executive Director A. Lippert presented her report to the committee:

- Commissioners changes and vacancies:

Recently appointed commissioners: Patrick Delahanty (ME), Julie Kemper (MO), Rebecca Brunger (AK), and Joe Winkler (FL).

There is a commissioner vacancy in the U.S. Virgin Islands

- The national office did not receive any complaints since the last Executive Committee meeting.
- State Council Reporting:

Executive Director A. Lippert informed the committee that per Administrative Policy 03-2009 member states were required to submit their State Council membership and meeting information to the national office by January of every year. The policy was to ensure compliance with the Compact Statute that requires each member state or territory to maintain a state council. Massachusetts and Hawaii have not reported their state council membership to the national office. New Mexico notified the national office that new Governor released all past state council members and has not appointed the new members.

Commissioner R. Cohen (NM) stated that she submitted a list of recommended individuals to the Governor for approval, but his appointments were pending.

Commissioner D. Crook (VT) stated that a letter from the Executive Committee helped his state to establish a state council.

**Commissioner G. Roberge (CT) moved to instruct Legal Counsel to send a 90 day letter to Hawaii, Massachusetts, and New Mexico for failure to provide State Council appointments per AP 03-2009. Commissioner B. Burks (TX) seconded. Motion passed.**

- Legal Action:

Currently, the Commission is involved in two civil suits in Florida and California. An offender with DUI conviction was transferred from Pennsylvania to Florida and had his conviction reclassified as felony per Florida law. The Florida attorney representing ICAOS filed a motion to dismiss the case in June 2018. In July 2018, the trial court judge entered an Order of Dismissal. The offender filed an appeal. The Eleventh Circuit Court of Appeals entered a briefing order in this case. The Commission is waiting on the results.

The second case is similar to the Florida case and was filed by an individual against the Commission. When an offender convicted of rape in Massachusetts transferred his probation supervision to California, it was changed to parole and he was assigned additional conditions. A motion to dismiss the case was filed on January 28, 2019.

Executive Director A. Lippert stated that several actions had been filed by individuals over the years to which ICAOS has successfully obtained dismissals on the grounds that a private right of action was not authorized against the Commission under the Statute. She will update the committee on the lawsuits' status as they progress.

Legal Counsel R. Masters stated that both cases were destined for dismissal. He added that these cases were in violation of two federal appeal decisions not permitting private right of actions against the Commission.

Executive Director A. Lippert discussed the fusion exchange project with the Executive Committee. In 2011, APPA offered a grant to share ICOTS data with fusion centers around the country. At that time, four states joined the exchange project. Since, no additional fusion center has joined the project. The Commission now provides the hosting and support for the project paying \$600 annually to maintain that service. Recently, Executive Director A. Lippert presented to the Directors Group of the Fusion Center Association on the ICOTS data sharing ability, with modest interest. SEARCH is seeking to establish a formal support and funding plan to provide services for the exchange.

The committee discussed whether the Commission should continue financially supporting this project when so few states were involved.

DCA T. Hudrlik (MN) suggested asking ICAOS commissioners to reach out to their local fusion centers to join the fusion exchange project. She noted that not many states were aware of the ICOTS data sharing ability with fusion centers.

Commissioner R. Cohen (NM) spoke for continuing to support this project.

Commissioner B. Burks (TX) will reach out to fusion centers in Texas.

Executive Director A. Lippert will present at the US DOJ Global Initiative Advisory Committee in District of Columbia next week. She will meet with fusion center stakeholders and plans to discuss with them the data exchange project further.

Last week, the national office met Kimberly Lough, Management and Program Analyst at the Enforcement Support Section, NCIC Operations and Policy Unit. They are making changes to NCIC system and working on fact finding for the Adult and Juvenile Compacts. The national office

arranged a meeting with a few practitioners from around the country. This meeting helped NCIC to understand the Compact's process and issues with not having a compact warrant indicator as well as bond amount in the NCIC system. The FBI process to make changes to its system is very lengthy and convoluted. Ms. Lough discussed adding a separate screen for compact offenders. The national office has a follow up meeting with the FBI in the upcoming weeks.

Executive Director A. Lippert stated that in April, the national office will launch ICAOS Dashboard Compliance Email Notifications. Now, states can receive quarterly email updates of their compliance performance. The email Commissioners will receive in April includes a snapshot of the graphs for each of the six monitored compliance standards, as well as a PDF attachment containing the entire report. This eliminated the need to remember the login credentials to review state's compliance status. This tool also allows states to set up an email notification when a standard falls below a set number.

Each compliance standard has a graph showing the monthly performance. If the compliance level for that month was below 80%, the column displays in red. The national average for the same time frame is represented by a dark blue line. The cumulative compliance percentage for the standard year-to-date is displayed next to the graph in the attached PDF report. These screenshots will help compact members to identify areas of compliance that need attention. If a state chooses to examine their compliance performance in more detail, a link to the ICAOS Dashboards is included at the bottom of the email.

Executive Director A. Lippert presented the FY 2019 audit results. She reminded the committee that the FY 2019 audit ensures member states have established internal policies and procedures for ICOTS user management in accordance with the ICOTS Privacy Policy. State's internal policies and procedures must fully address the responsibilities assumed by states for the entry and use of ICOTS data. The results showed 33 states fully satisfied audit requirements, 17 states remain deficient in one or more areas and are within 60 day remedy period, and 3 states (the U.S. Virgin Islands, Puerto Rico, and Maine) did not submit any required documentation.

The national office reviewed ICOTS Compact Office and Administrator accounts to ensure that ICOTS roles were assigned in accordance with duties. Inactive accounts for 12 months or more were marked for deactivation. Seven states received reports for excessive number of Admin and Compact Office user roles, generic logins or duplicate accounts with four states remaining deficient. Twenty eight states had inactive accounts for 12 months or more including accounts created, but never utilized with 14 states remaining deficient.

The Policy & Procedure Review audit required states to submit internal policies and procedures for ICOTS user training, data management, data sharing, data security, and policy enforcement. Twenty seven states (51%) provided sufficient policies and procedures when initially submitted, ten states sufficiently addressed deficiencies, thirteen states remain deficient, but still within their allotted 60 days for remedy; and three states did not provide any documents outlining their policies and procedures.

Executive Director A. Lippert noted that this audit facilitated states to clean up their outdated ICOTS user data and get their policies in order. She added that Puerto Rico stated that they did not have any polies and procedures in place.

**Commissioner R. Cohen (NM) moved to provide a letter to the U.S. Virgin Islands, Puerto Rico, and Maine concerning their failure to comply with FY 2019 compliance audit. Commissioner D. Crook (VT) seconded. Motion passed.**

Executive Director A. Lippert informed the committee that the revisions to the ICAOS Bench Book were completed. The national office shared the final draft with the Training and DCA Liaison Committee Chairs, Executive Committee members, as well as Legal Counsel. She stated that the ICAOS Bench Book was originally drafted in 2005 and while updated for rule amendments, no additional commentary or editorial review had occurred since. The recent review rewrote chapters 1 and 5; checked all case law references for accuracy; reviewed and edited all chapters for grammar, tense, consistency, and clarity; revised chapter 3; and added commentary to chapters 3 and 4.

The Bench Book is out for final review and the national office plans to finalize it by the end of March.

DCA T. Hudrlik (MN) commended the national office for revising the Bench Book. She stated that the new book was easy to follow and understand. She had no changes to the final draft.

Executive Director A. Lippert stated that the national office completed its comprehensive review of ICAOS Advisory Opinions and recommended 16 out of 52 published opinions for retirement primarily because these issues were resolved via rule changes or no longer applicable. After discussing the opinions with Legal Counsel, she recommended excluding AO 3-2010 and 4-2010 from retiring because they apply to certain situations in specific states.

The following Advisory Opinions are recommended for retiring: 3-2004, 8-2004, 1-2005, 3-2005, 5-2005, 7-2005, 1-2006, 2-2006, 3-2006, 10-2006, 12-2006, 15-2006, 17-2006, 1-2007, 4-2007, and 2-2011.

Executive Director A. Lippert stated that the national office would archive the retired opinions locally and remove them from its website and circulation.

**Commissioner D. Crook (VT) moved to retire Advisory Opinions (AO) as outlined by the Executive Committee with exception of AO 3-2010 and AO 4-2010 to be rendered of no further force and affect. Commissioner C. Moore (GA) seconded.**

Executive Director A. Lippert presented revised Advisory Opinions 2-2005, 8-2006, 13-2006, and 1-2014 for approval. The revisions were mostly footnotes that clarified rules changes that occurred since the opinion was published.

Legal Counsel R. Masters stated that ICAOS advisory opinions took judicial notice and were mentioned in courts as a non-arguable disposition. He commended the national office for conducting the cleanup.

**Commissioner B. Burks (TX) moved to adopt the revisions to Advisory Opinions 2-2005, 8-2006, 13-2006, and 1-2014 as presented. Commissioner D. Clark (SD) seconded.**

DCA T. Hudrlik (MN) suggested replacing “*probation*” with “*supervision*” on p. 7 in AO 2-2005:

**Commissioners B. Burks and D. Clark accepted the change. Motion passed.**

The committee reviewed the 2019 Committee and ICAOS National Office goals.

Executive Director A. Lippert stated that at the last meeting, the Executive Committee chose Milwaukee, WI as the first choice location for 2020 ABM per successful site visit. The national office conducted a site visit and found Hyatt Regency Milwaukee satisfactory to the commission's needs. The national office will proceed with signing the contract with the hotel.

*Legal Counsel Report:* The Legal Counsel Report was covered during the Compliance Committee and Executive Director Reports.

*Victim Advocate Report:* Chief Justice R. Barajas is in communication with Rules Committee Chair D. Clark regarding the status of Commission's position on victim notifications. He noted that ICAOS was a unique governing body with no authority over states and no grant money to give to states and that such national policy could be beyond the Commission's ability and function. In the future, to gain some understanding of victim issues, he recommends taking victimology trainings.

#### **New Business**

*Personnel:* The Executive Committee decided to go to the executive session to discuss personnel matters.

**Commissioner G. Roberge (CT) moved to enter the executive session to discuss personnel matters. Commissioner D. Crook (VT) seconded. Motion passed.**

**Commissioner B. Burks (TX) moved to exit the executive session. Commissioner D. Crook (VT) seconded. Motion passed.**

**Commissioner G. Roberge (CT) moved to approve a 1.9% cost of living adjustment for the national office staff. Commissioner R. Marlan (MI) seconded. Motion passed.**

**Commissioner G. Roberge (CT) moved to approve a 5% salary increase for the executive director. Commissioner H. Cooper (KS) seconded. Motion passed.**

#### **Old Business**

*NCJA partnership:* On behalf of the Commission, Chair J. Stromberg (OR) attended the National Criminal Justice Association (NCJA) board meeting in January. The board was very receptive to the idea of partnership with the Commission. Chair J. Stromberg (OR) stated that the Commission and NCJA have a lot in common. It assists criminal justice agencies in the development and implementation of criminal justice policy. Its members include corrections officials, courts, victim and witness services, and academics, as well as elected officials. He suggested extending NCJA an invitation to join the Commission as its Ex-Officio.

Chair J. Stromberg (OR) suggested partnering with NCJA and possibly APPA to conduct a study on recidivism. He suggested limiting the study to the executive committee member states.

Commissioner A. Godfrey (MN) and Commissioner B. Burks (TX) expressed their support.

Commissioner D. Crook (VT) cautioned that a project such as this was beyond the scope of the Commission's mission.

**Commissioner A. Godfrey (MN) moved to recommend NCJA to become an ex-officio per approval of the full Commission. Commissioner B. Burks (TX) seconded. Motion passed.**

Executive Director A. Lippert stated that NCJA representative will be invited to attend the 2019 Annual Business Meeting.

Commissioner R. Marlan (MI) inquired about a state operated case management system and its access to ICOTS.

ICOTS Project Manager X. Donnelly stated that ICOTS data was very compact specific, and though some states export ICOTS data into their local state operated systems, it was not possible to import the data from their local systems into ICOTS.

**Adjourn**

**Commissioner D. Crook (VT) moved to adjourn. Commissioner D. Clark (SD) seconded.**

The meeting adjourned at 3:58 pm ET.

**Signature:** *Jeremiah Stromberg*  
Jeremiah Stromberg (May 20, 2019)

**Email:** jeremiah.p.stromberg@doc.state.or.us


# ExCmmttMinutes\_March2019\_APPROVED

Final Audit Report

2019-05-20

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| Created:        | 2019-05-17                                       |
| By:             | Barno Saturday (bsaturday@interstatecompact.org) |
| Status:         | Signed   |
| Transaction ID: | CBJCHBCAABAAIoactHRko8XRZyVrs3m_EVWHNL6T7FIC     |

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-  Document created by Barno Saturday (bsaturday@interstatecompact.org)  
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-  Document emailed to Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us) for signature  
2019-05-17 - 1:58:09 PM GMT
-  Document viewed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)  
2019-05-20 - 2:59:09 PM GMT- IP address: 159.121.206.77
-  Document e-signed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)  
Signature Date: 2019-05-20 - 5:20:38 PM GMT - Time Source: server- IP address: 159.121.206.77
-  Signed document emailed to Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us) and Barno Saturday (bsaturday@interstatecompact.org)  
2019-05-20 - 5:20:38 PM GMT