



## Interstate Commission for Adult Offender Supervision

### East Region Meeting MINUTES

March 28, 2023 · 11:00 am ET  
Teleconference

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

1. Dale Crook (VT), Chair
2. Gary Roberge (CT)
3. Heidi Collier (DE)
4. Susan Gagnon (ME)
5. David Cady (NH)
6. Samuel Plumeri (NJ)
7. Robert Maccarone (NY)
8. Christian Stephens (PA)

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

9. Tina Hurley (MA)
10. Raquel Colon (PR)
11. Vacant (RI)
12. Wynn Timermark (VI)

#### **Guests:**

1. Jeanne Stewart (NH)
2. Shyra Bland (NJ)
3. Alexandra Modica (CT)
4. Elizabeth Burke (MA)
5. Mark Fournier (MA)
6. Matthew Charton (NY)
7. Kelly Palmateer (NY)
8. Ingrid Sililezar (RI)
9. Denis Clark (ME)
10. Dina Rogers (NJ)
11. Matthew Reed (PA)
12. Curlita Leblanc (VI)

#### **Staff**

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Director of Operations & Policy
3. Mindy Spring, Administrative and Training Coordinator
4. Xavier Donnelly, ICOTS Project Manager
5. Drake Greeott, Web Development Manager

#### **Call to Order**

Chair D. Crook (VT) called the meeting to order at 11:00 am ET. Eight of twelve commissioners were present. A quorum was established.

## **Agenda and Minutes**

**Commissioner S. Gagnon (ME) moved to approve the agenda as presented. Commissioner R. Maccarone (NY) seconded. Agenda approved as presented.**

**Commissioner S. Plumeri (NJ) moved to approve the minutes from September 27, 2022, meeting as drafted. Commissioner S. Gagnon (ME) seconded. Minutes approved as drafted.**

## **Discussion**

*ICAOS Workgroup to Consider Language Change:* Chair D. Crook (VT) stated that the Executive Committee discussed the criminal justice terminology used by the Compact at its face-to-face meeting earlier this month. In recent years, members of the Commission have expressed interest in removing the word "offender" from the Compact's terminology in favor of more person-centered language.

The Executive Committee decided to establish a workgroup to explore this possibility and seeks to appoint two representatives from each region to serve as members. The goal of the workgroup is to study this issue and provide a recommendation to the Executive Committee on whether a change is appropriate. If recommending a change, the work group will also propose alternative language options and recommend the scope of this change.

Executive Director A. Lippert stated that a recommended language change would not result in the Commission's official name being changed.

Commissioner D. Cady (NH) and Commissioner C. Stephens (PA) volunteered to serve on the workgroup.

Executive Director Lippert noted that the initial meeting of the workgroup would be sometime in May.

*FY 2024 Compliance Audit:* Commissioner D. Crook (VT) presented the FY24 audit, that would be a follow-up review of states that did poorly in the FY23 audit.

Executive Director A. Lippert stated that only three areas of the FY23 audit would be analyzed again: junk records, offenders awaiting retaking, and rejected case clean-up. Only a select number of states would be re-audited. The national office will send the FY24 audit information letter in April.

Commissioner R. Maccarone (NY) noted that the FY2023 audit was helpful and that New York had worked with the national office on potential data elements. He suggested using different language for *unsatisfactory*, *needs improvement*, and *satisfactory*.

*Proposal to Amend Rule 3.103:* Chair D. Crook (VT) invited the region to review and discuss a proposal to amend Rule 3.103 proposed by New York. He noted that the deadline to submit new rule proposals for the Commission's consideration at the 2023 Annual Business Meeting has passed.

Commissioner R. Maccarone (NY) presented a proposal to amend Rule 3.103 limiting its applicability for those subject to supervision after disposition of a violation to those who previously transferred and were retaken by the sending state.

Commissioner R. Maccarone (NY) referenced two recent cases in which individuals violated or absconded supervision and during the ‘violation status’ established residency in New York. As both cases resulted in supervision sentences (no jail time or revocation,) the sending states in these cases requested reporting instructions under Rule 3.103 once residency was verified to be in New York to ensure supervision was maintained during the investigation process.

According to New York, the receiving state’s requirement to issue mandatory reporting instructions in these cases ‘rewards’ violators and “places victims at risk and diminishes offender accountability.” New York’s proposal provides receiving states the discretion to deny reporting instructions, thus requiring these individuals to return to the sending state pending a full transfer investigation.

As the sending state in one of the cases mentioned in New York's justification, Commissioner G. Roberge (CT) expressed his concerns. He explained that the jurisdiction and supervision authority in Connecticut does not prevent relocation because these individuals are not subject to “supervision” by Connecticut authorities while in “violation status”.

Commissioner S. Gagnon (ME) stated that Rule 3.103 has a variety of applications, concerns, and interpretations. She had reservations about supporting a rule change that only addresses the issues raised by New York.

Executive Director A. Lippert agreed with Commissioner S. Gagnon (ME) and encouraged in-depth discussions on actual cases that may apply to this rule in order to fully vet the impact of any potential changes and ensure consensus on the rule’s intent. She also noted the Commission intends to hold discussions around this rule at the upcoming Annual Business Meeting.

#### **Old/New Business**

There was no old/new business.

#### **Adjourn**

**Commissioner G. Roberge (CT) moved to adjourn, Commissioner D. Cady (NH) seconded.**

The meeting adjourned at 11:45 am ET.