

Nebraska State Council

Interstate Compact for Adult Offender Supervision

October 7, 2022

Call to Order/Roll Call:

The regular meeting of the Nebraska State Council of Interstate Compact for Adult Offender Supervision was called to order at 9:03 a.m. by Commissioner Sally Reinhardt-Stewart. The meeting was published and posted per the Open Meetings Act and the agenda and minutes of the last meeting were forwarded to all Council members in advance of the meeting. The meeting was recorded. Roll was called by Commissioner Reinhardt-Stewart.

Present:

Jacey Rader, Gene Cotter, Sally Reinhardt-Stewart, Jeff Davis, Andi Hart, Athena Sherman, Elizabeth McQueen, Wendy Elston.

Also in attendance: Susan Barnard.

Not Present:

Layne Gissler, Judge Julie Smith, Dawn Renee Smith, Senator Machaela Cavanaugh.

Commissioner Reinhardt-Stewart shared that membership is now at 12 members due to the retirement of Judge Kenneth Vampola.

A quorum was established.

Minutes:

Commissioner Reinhardt-Stewart reviewed the items in the folders - agenda, minutes from the June 17, 2022, meeting, Executive Summary for the Compact Study conducted recently, FY 2022 Annual Report, and a copy of the Commission's History, which was put together by the National Office for the Commission's 20th year anniversary.

Gene Cotter moved to approve the minutes of the June 17, 2022, meeting; Wendy Elston seconded. The motion passed.

Old Business:

NE Training Updates

DCA Rader shared that new Probation Officers receive a full day of live training on Interstate Compact, that there is better engagement and a time to ask and have questions answered. They have 6 to 8 new Probation Officer training cycles every year. One of the things they have received feedback on is not as much on the content being shared but that officers have a face to put with a name when they are needing someone to call. Sometimes it can be scary when you don't have very many Interstate cases due to living in a rural area and you have somebody that wants to move. One of the things that they like to do is promote what is happening in the Interstate Compact and say this might be one of the times you might need to call the Compact Office. They also do local trainings when specific districts ask for it. She

mentioned there has been a lot of turnover everywhere so as districts get new officers they need to train the officers in their districts. DCA Rader shared that the day of training consists of about 3 ½ hours of Adult Compact Rules and 3 ½ hours of Juvenile Compact Rules. She also indicated that as Compact Rules change that they do new training yearly. Susan Barnard added that following the in-person class, if the individual is going to have a need for an Interstate Compact Offender Tracking System (ICOTS) account, the individual will be assigned webinars to complete and upon receipt of the certificates of completion an account will be created for them. In response to a question regarding whether there are state yearly hours required, and if so, how many, DCA Rader shared there are hours required, but it depends upon the individual's position. New Probation Officers' training is 8 weeks long.

Commissioner Reinhardt-Stewart stated that Parole also has a training academy for new Parole Officers but is only Adult Compact Rules; the training is 4 hours. She shared, as Susan had mentioned, in order to get an ICOTS account set up, officers must complete additional training that is available through the Commission's website. Parole also has other trainings that are required—Parole's Quality Assurance program, Parole's Standard Operating Procedure for incoming Transfer Requests, and training on the FY22 Rejection Assessment. Commissioner Reinhardt-Stewart stated the agenda includes the Documentary "The Road Home" later but that Parole is going to begin including it in its training. She also shared that training was conducted for Omaha Assistant Parole Officers September 21, 2022, on how to activate incoming Interstate clients and plans to do another for the Lincoln Assistant Parole Officer at some point in the future. Training on how to submit a Request for Reporting Instructions and Transfer Requests will also be held for all the Assistant Parole Officers and anybody else that needs a refresher or that has never done them before.

Nebraska County Attorneys Association (NECAA) Annual Conference – October 13, 2022

Commissioner Reinhardt-Stewart shared that DCA Rader, Ms. Barnard and she will be presenting at the Nebraska County Attorney's Association fall conference in Bellevue on October 13, 2022, and that member Wendy Elston will also be there. There are about 250 people registered to attend.

New Business:

Annual Business Meeting Update (Commission's 20th Anniversary Meeting)

Commissioner Reinhardt-Stewart shared the Annual Business Meeting in New York City was attended by Ms. Barnard, Blair Hofeldt, who serves as the Parole Acting Deputy Compact Administrator in her absence, and herself. The meeting celebrated the 20th year of the Compact, having been established in 2002; Nebraska was signatory to the Compact in 2003. The meeting's theme was "Past, Present and Future" and reviewed what has transpired over the years, where it is today, and plans for the future. There was a brainstorming session to generate ideas of things to look at in the next 20 years which resulted in a long list of items to look at pursuing and prioritizing.

Dues Increase Proposal Update

Commissioner Reinhardt-Stewart shared that during the Annual Business Meeting there was a vote for a dues proposal increase, which had been sent out prior to the meeting for states to review. The Chair of the Finance Committee (Commissioner from Connecticut) attended each of the Region meetings during the month of August to explain the need for the dues to be increased. There had not been an increase since 2009. Commissioner Reinhardt-Stewart also shared there are going to be proposals the coming

year to either rewrite or redesign ICOTS. This is the system that is utilized by all states to conduct business of the Compact. She provided an update regarding what is currently being planned, which includes a new vendor. The goal is to have this completed by the fall of 2023.

In regard to the dues increase proposal, Nebraska is in tier 2, and is one of the smaller states. The proposal presented for vote was an increase of 5.25% for the next 5 years beginning in FY 2024 and then in FY 2029 would then be only a 3% increase and would be ongoing and applied to all future years. The vote was taken during the meeting and passed. Commissioner Reinhardt-Stewart shared that during the Midwest Region Meeting when the Finance Committee Chair attended that we asked if this will be looked at on an on-going basis due to concern it could get pretty high in the future. He responded that as long as he is Chair it will be reviewed at all the times, that the Committee will be constantly monitoring, and if they find that they don't need it at some point they will come back to the Commission and talk about it.

DCA Rader added that we pay about \$20,000 in dues as a state which is split between Probation and Parole. She indicated this is an increase of about \$800 a year or about \$400 a year per agency and so wanted to give an idea of what that looks like for Nebraska.

A Compact Study by University of Cincinnati Corrections Institute (UCCI) – “Meeting the Mission”

Commissioner Reinhardt-Stewart shared that during the Annual Business Meeting there was also discussion about the Compact Study conducted by UCCI (University of Cincinnati Corrections Institute). Information from the Executive Summary was reviewed with State Council members. Several questions were asked by members, including how many clients were interviewed for the study. A lot of good discussion was generated regarding the results of the study and the recommendations made. Andi Hart inquired as to why keeping up on client's contact information was not part of the Study's recommendation. Commissioner Reinhardt-Stewart responded that will probably be something to be talked about. States need to make sure its officers are keeping that information up to date as it's important to keep the sending state informed about the latest contact information in ICOTS as that's the information they use when they send information out to those individuals. Commissioner Reinhardt-Stewart shared this is the first study that has been done so would anticipate things are going to come out of it.

Commissioner Reinhardt-Stewart shared that Bob Macarone, Commissioner for New York, had made opening remarks during the Annual Business Meeting and suggested that the Commission look at the word “offender” and maybe remove the word “offender” from Interstate Commission for Adult Offender Supervision. He recommended that a work group look at this. There was conversation during the meeting that some places call them clients, some call them supervisees, some offenders, and some justice-involved individuals. She stated there will probably be more about it in the next year.

Ms. Barnard shared information from the Midwest Region meeting that some of the discussions were on the differences in processes amongst the states. In Nebraska she stated we try to do what is best for the client. There was lengthy discussion on what the Rules say versus what is best for the client. She works with the local Probation Officer to do whatever they can for them such as direct them to a shelter or if there is a place where they can get a meal. Commissioner Reinhardt-Stewart stated Nebraska considers homelessness to be serious but there are other states that don't consider that to be a reason for

expedited reporting instructions. Ms. Barnard also stated that Nebraska has really good working relationships with Iowa and South Dakota and talks with them regularly regarding cases.

Commissioner Reinhardt-Stewart shared there was a Training Institute for Deputy Compact Administrators held in conjunction with the Annual Business Meeting. One of the topics was on Embracing the Spirit of the Compact, with emphasis on working with other states and communication. That is going to be a continuing theme as we go forward. COVID-19 forced everybody to work together to address issues that came up during that time. She shared other topics that were addressed during the Training Institute included the FY22 Rejection Assessment, the Changing Landscape of Substance Abuse and its Impact on Supervision, which included a discussion on the effects of decriminalization of drug laws and its impact on supervision, and Tolling Issues. Topics the first day of the Annual Business Meeting included Lessons Learned – COVID, specifically the challenges and positive changes that resulted from the Pandemic. There was also a session titled Past, Present, Future: Engaging Victims in which the Commission's Victim Representative, Pat Tuthill, along with other panel members, presented.

View Documentary "The Road Home" produced in collaboration with National Institute of Corrections (NIC)

"The Road Home" Documentary premiered at the Annual Business Meeting. DCA Rader and Commissioner Reinhardt-Stewart indicated they would like to show the Documentary that was produced in coordination with the National Institute of Corrections for those that can stay; if not a link will be sent to members to review on their own time. DCA Rader noted during the discussion regarding the Compact Study that the Documentary was very transparent about the time the transfer process takes. Commissioner Reinhardt-Stewart shared that several years ago Parole made a change in that even though states are given 45 days to complete their investigation, Parole changed its internal Protocol so that incoming Compact investigations had to be completed in the same time frame as investigations for Nebraska in-state offenders; therefore, the amount of time given was changed to 2 weeks with the possibility of an extension of a week. Sheriff Davis commented that he is more concerned about Nebraska clients going out rather than those coming in as he thinks Nebraska is doing a good job to make that happen. Commissioner Reinhardt-Stewart shared that following the viewing of the Documentary during the Annual Business Meeting there was a chance for exchange with a few of the clients whose stories were featured. Based on what they were saying, 45 days can be a long time, and if there needs to be more than one attempt made to transfer, it can be several months. She indicated that what Parole is doing is really good as we are trying to speed up the process for those requesting to transfer and that she had shared during the meeting what Nebraska Parole is doing in this regard.

Other New Business:

Commissioner Reinhardt-Stewart asked for any recommendations of a Judge that would be interested in filling the vacancy created by Judge Ken Vampola's retirement. Several names were offered up by the membership for consideration.

Mr. Cotter shared that February 5-7, 2023, the American Probation and Parole Association is having a regional conference in Omaha. He is the Program Chair and one of the folks from Iowa suggested conducting an Interstate Compact Roundtable. Region 4 includes North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, Kansas, Missouri, and Nebraska so would be an opportunity to get together

to talk about Interstate Compact issues. Support was expressed for proceeding forward with this and some ideas were shared of what the topics could include such as Iowa's sex offender practice of residing in the residential treatment facility in Council Bluffs, Nebraska Probation and Parole's custodial sanctions, and Parole's domestic violence protocol. Commissioner Reinhardt-Stewart stated it is good to have meetings to share information with other states, especially surrounding states that the Compact Offices' work with most so they become familiar with what states' requirements are.

In regard to the issue of transportation, Ms. Barnard shared that at the Annual Business Meeting there was talk about retaking, that some states have their Probation Officers go get the individual from the other state instead of the Sheriff's Office or will have a transportation agency go get them. Commissioner Reinhardt-Stewart added that transportation costs have skyrocketed and shared that Parole has Special Services within the Nebraska Department of Correctional Services go get Nebraska offenders from other states.

Commissioner Reinhardt-Stewart also shared that next year will be a rulemaking year and the deadline for proposals is February 1, 2023. She also shared the 2023 Annual Business Meeting will be in Norfolk, Virginia, September 19-20, 2023.

Next Meeting - Adjourn

Commissioner Reinhardt-Stewart advised she would send out a doodle poll for the next meeting to be held approximately April 2023 since there will be Rule Amendment proposals to review. She also raised the issue of the Council's 2-hour meeting timeframe. Going forward the agenda will be created but if the full 2 hours is not needed the meeting will adjourn early. Those in attendance indicated support of this. It was indicated that for those able to stay the Documentary will begin following the meeting.

There being no further business, Elizabeth McQueen moved to adjourn the meeting; seconded by Athena Sherman.

The meeting was adjourned at approximately 9:55 a.m. and the Documentary was started.

Submitted by: Sharon Wilkens