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Interstate Commission for Adult Offender Supervision  
Ensuring Public Safety for the 21st Century

**FY 2012 Annual Report**



## **The Mission:**

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To guide the transfer of offenders in a manner that promotes effective supervision strategies consistent with public safety, offender accountability and victim's rights.

# Letter from the Chair

Accomplishment and change are the key words for the Commission this past year. We refined the way we conduct our daily business, stabilized our long-term financial future and held ourselves accountable to the highest standards in protecting public safety. In addition, this year marked the Commission's 10th anniversary and a decade of growth and development of which we are very proud.

The Commission remained committed to improving the operation and services of the compact in a financially prudent manner. We rebid or renegotiated nearly all of our major contracts in the past twelve to eighteen months, resulting in significant cost savings and new services in a number of areas. This included reaching an agreement for a long-term Interstate Compact Offender Tracking System (ICOTS) hosting and maintenance contract, negotiating a new lease for the national office, restructuring our relationship with the Council of State Governments, renegotiating our online meeting service contract and procuring a new vendor for our online training system.

Part of the ICOTS contract restructuring process resulted in the national office assuming responsibility for the ICOTS help desk. Bringing this service in-house without the need for additional staff saved the Commission significant dollars and improved service. In addition to the helpdesk, we enhanced our Web offerings by developing a mobile website for field officers and compact professionals, by expanding the online training catalog, and by improving the systems and reports used by states to track training attendance and for improving compliance in ICOTS.

Given the difficult economic times, our treasurer, Charles Lauterbach, along with our Finance Committee, investigated long-term investment strategies for improving returns on the Commission's investments. The Commission adopted their recommendations and is now yielding returns much higher than the previous year, allowing additional leeway for any emergencies or obstacles we may encounter as we move forward.

The Commission also implemented its second year of compliance audits, which demonstrated states are ever improving their operations and increasingly adhering to the ICAOS rules. This record of accomplishment, success and continual improvement is only possible because of the dedication and hard work of all the professionals involved with the interstate compact. I want to thank all of those individuals, new and seasoned, and encourage them to continue their efforts to overcome obstacles, regardless of economic or statutory limitations. May our next ten years be as full of accomplishments as our first ten.

Sincerely,

**Milt Gilliam, Chair**  
*Interstate Commission for Adult Offender Supervision*



*Milt Gilliam (OK)*  
*Chair*



*Kevin Kempf (ID)*  
*Vice-Chairman*



*Charles Lauterbach*  
*(IA) Treasurer*

# 2011 Annual Meeting Spotlight

The 2011 ICAOS Annual Business Meeting (ABM) in Montgomery, Alabama, provided the Commission the opportunity to consider a number of significant rule changes, strategize on new directions and conduct trainings. The Commission was fortunate to have former Alabama Supreme Court Chief Justice Sue Bell Cobb kick off the meeting by providing the keynote speech. Following Justice Cobb's engaging address, the chairs each presented their committee's annual report.

The Compliance Committee reported thirty-nine states passed the annual compliance audit in FY 2011 and will not have to undergo one in FY 2012. The states that did not pass will have a compliance audit in FY 2012 that will focus on the standards not met during FY 2011. Nationally, the rate of compliance with audit standards was 74 percent in FY 2011.

The Training and DCA Liaison Committees discussed new programs and reported that since 2006 the Commission has trained nearly 20,000 field officers. In addition, the committee announced new curriculum on the retaking process and conducting probable-cause hearings. The report concluded with a reminder that the Commission offers technical and training assistance at no expense to states requesting it.

The Technology Committee talked about devoting significant time and effort to stabilizing and improving the Interstate Compact Offender Tracking System (ICOTS) and to establishing data exchanges with other criminal justice agencies. Partnered with the Bureau of Justice Assistance (BJA) and the American Probation and Parole Association (APPA), the committee reported it is in the process of developing data-sharing capabilities with state fusion centers. This project results in law enforcement officers receiving important data about new members of their community. The committee affirmed its commitment to add new functions and features to the ICAOS website by announcing a project to develop a mobile-friendly version of the site for smartphones and tablets.

The Finance Committee reported that for the fourth consecutive year the Commission finished under budget and contributed to the growing reserve fund. The Finance Committee presented a new long-term investment strategy to invest \$240,000 with a sixty/forty split between a market index fund and a bond index fund, respectively, over the next twelve months. The strategy reflected a recommendation made by the Council of State Governments, and the Commission subsequently approved it.

The Rules Committee presented its annual report and led the proposed rule amendments discussion. The Commission considered fourteen rule amendments and one amendment to the bylaws. The Commission voted in favor of five rule amendments and the amendment to the bylaws. The rule amendments included changes in the closing of supervision, limiting offenders ability to return under their own volition to the sending state, redefining pre-release transfers and altering the definitions of resident and violent offender. The approved bylaw amendment provided formal charge requirements for ad hoc committees along with defined reporting requirements.

Following the standing committee reports, Appriss, Inc., proposed the Commission join Appriss in developing an interface to share ICOTS data using Appriss' JusticeXchange application. In addition to making ICOTS data available to law enforcement officers in the field, Appriss discussed the potential for the exchange to generate revenue to devote to the future development of ICOTS. The discussion concluded with the understanding that the executive director, along with the Executive Committee, would continue to discuss the possibilities with Appriss.

Continuing through the afternoon, the meeting moved into an open forum for candid discussion of issues raised during the training session on the previous day. The topic of re-taking dominated the discussion as states worked to find possible solutions for dealing with the recent rule amendments and their subsequent financial impacts. Other topics discussed included the use of compact action requests, progress reports and appropriate completion of violation reports.

The four region chairs elected by the Commission to serve a two-year term include: South Region – Chris Norman (AL), East Region – Scott McCaffery (ME), West Region – Mark Cadotte (OR) and Midwest Region – Sara Andrews (OH). The Commission also elected Kevin Kempf (ID) to fill the vice-chair vacancy.

**Next Meeting: August 28–29, 2013, in Madison, Wisconsin**

## Awards Presented

Executive Chair Award presented to Commissioner Gary Tullock (TN)

Executive Director Award presented to Deputy Compact Administrator Kari Rumbaugh (NE)

Peyton Tuthill Award presented to Victims' Advocate Cindy Brignon (TX)



The Council of State Governments and our National Center on Interstate Compacts is proud of our close association with the Interstate Compact for Adult Offender Supervision. The compact represents a great example of states coming together to craft solutions that work. The staff, commission members and state leaders who carry out the work of the compact are dedicated public servants who are making a difference. The states that are signatories to the compact know that by working together they can save money, be more productive and enhance public safety. CSG values our role in helping ICAOS achieve these important results.

**David Adkins**

Executive Director/CEO, the Council of State Governments (CSG)  
ICAOS is an affiliate of CSG

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*This year marked the Commission's 10th anniversary and a decade of growth and development of which we are very proud.*

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## National Office Staff

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## Committee and Region Chairs

**Scott McCaffery**, ME | *East Region Chair*

**Sara Andrews**, OH | *Midwest Region Chair*

**Chris Norman**, AL | *South Region Chair*

**Mark Cadotte**, OR | *West Region Chair*

**Dori Ege**, AZ | *Training, Education and Public Relations Committee Chair*

**Kim Madris**, NV | *DCA Liaison Committee*

**Gary Tullock**, TN | *Rules Committee Chair*

**Kathie Winckler**, TX | *Information and Technology Committee Chair*

**Mike McAlister**, NH | *Compliance Committee Chair*

**Charles Lauterbach**, IA | *Finance Committee Chair*

**Patricia Tuthill**, FL | *Victims Representative*



## ICAOS 10th Anniversary: A Decade of Excellence

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Interstate compacts are born out of necessity. For ICAOS, the tragic death of Peyton Tuthill in 1999 crystallized the need to establish and enforce a uniform set of rules to control the movement of probation and parole offenders who relocate from one jurisdiction to another.

In June 2002, thirty-five states approved legislation for adoption of a new compact for the supervision of adult offenders, and the Interstate Commission for Adult Offender Supervision (ICAOS) became a reality. ICAOS replaced a previous interstate compact that lacked oversight and enforcement authority. This newly formed Commission moved quickly at its first meeting to elect officers, approve a budget, create a structure, and adopt rules and policies on enforcement. During the years that followed, the Commission refined the rules, established policies and procedures, implemented training programs, developed information systems and created a national office staffed with individuals responsible for handling the Commission's day-to-day activities.

In 2008, the Commission reached another milestone with the launch of the Interstate Compact Offender Tracking System (ICOTS), a national information system for tracking interstate compact offenders. The launch of ICOTS was a pivotal event for ICAOS, representing an unmatched level of cooperation and standardization across the nation. In preparation for the launch, the Commission undertook the difficult process of studying the wide variety of business practices across the country and developed a system that met everyone's needs. The launch of ICOTS resulted in a national effort to account for every compact offender, to check the accuracy of the offender data and to train thousands of field staff.

The change resulting from the ICOTS implementation is so wide reaching that it is difficult to measure. ICOTS touched every aspect of the interstate compact process. One of the easiest ways to measure the efficiencies created by ICOTS is to look at the average amount of time needed to investigate a transfer request. In FY 2009, it took 45.5 days on average to investigate and respond to a transfer request. In FY 2012, states completed investigations in an average of 32.7 days, or 28 percent less time. Moreover, there is an accounting of all compact offenders and their movements.

Another equally important milestone involves the implementation of a compliance audit program. Built on a solid foundation of training, reliable data and established rules, the compliance audit program launched in FY 2010. Since that time, states have continually improved their adherence to the rules and their ability to meet the established requirements. We better serve the offenders we supervise, and public safety is substantially improved because of this greater accountability.

## Roster of Leadership: Current and Historic

### ■ Officers 2002–2012

- Chair
  - Milt Gilliam, OK (Current)
  - Ken Merz, MN
  - Warren Emmer, ND
  - David Guntharp, AR
- Vice Chair
  - Kevin Kempf, ID (Current)
  - Wayne Theriault, ME
  - Milt Gilliam, OK
  - Genie Powers, LA
  - Harry Hageman, OH
- Treasurer
  - Charles Lauterbach, IA (Current)
  - Kevin Kempf, ID
  - Scott Taylor, OR
  - Hazel Combs, KY

### ■ Committee Chairs 2002–2012

- Rules Committee
  - Gary Tullock, TN (Current)
  - William Rankin, WI
  - Milt Gilliam, OK
  - Kathie Winckler, TX
- Compliance Committee –
  - Mike McAlister, NH (Current)
  - Warren Emmer, ND
- Technology Committee –
  - Kathie Winckler, TX (Current)
  - Harry Hageman, OH
  - David Guntharp, AR
  - Joe Kuebler, GA
  - Jim Cotton, AL
- Training Committee –
  - Dori Ege, AZ (Current)
  - Ann Clarke, SC
  - Genie Powers, LA
- West Region –
  - Mark Cadotte, OR
  - Edward Gonzales, NM
  - Dori Ege, AZ
  - Leo Lucy, UT
- Midwest Region –
  - Sara Andrews, OH (Current)
  - Linda Janes, OH
  - Ken Merz, MN
  - Ed Ligtenberg, SD
- East Region –
  - Scott McCaffery, ME (Current)
  - Ben Martinez, PA
  - Mark Conrad, MA
  - Wayne Theriault, ME
  - Rich Bitel, NY
  - Maureen Walsh, MA
  - Mike DePietro, NY
  - Ben Martinez, PA
- South Region –
  - Chris Norman, AL (Current)
  - Gary Tullock, TN
  - Robert Oakes, AL
  - Joe Kuebler, GA

### ■ Commissioner Attendees at the 1st ABM

- Alabama – James B. Cotton
- Alaska – Leitoni Tupou
- Arizona – Mary Schamer
- Arkansas – David Guntharp
- California – Sharon C. Jackson
- Colorado – Jeaneene E. Miller
- Delaware – Alan J. Grinstead
- District of Columbia – Paul A. Quander, Jr.
- Florida – Tina Hayes
- Georgia – Joe Kuebler
- Hawaii – Ronald Hajime
- Idaho – David Nelsen
- Illinois – Vivian Williams
- Indiana – Jane Seigel
- Iowa – Lowell Brandt
- Kansas – Robert Sanders
- Kentucky – Hazel M. Combs
- Louisiana – Eugenie C. Powers
- Maine – Wayne R. Theriault
- Maryland – Judith Sachwald
- Michigan – Dennis S. Schrantz
- Minnesota – Ken Merz
- Missouri – Denis H. Agniel
- Montana – Mike Ferriter
- Nebraska – Ed Birkel
- Nevada – Amy Wright
- New Hampshire – Kathleen E. McCormack
- New Jersey – John D’Amico, Jr.
- New York – Edward J. Mruczek
- North Carolina – Sherry H. Pilkington
- North Dakota – Warren Emmer
- Ohio – Harry E. Hageman
- Oklahoma – Milton Gilliam
- Oregon – Ginger Martin
- Pennsylvania – Benjamin A. Martinez
- Rhode Island – Ashbel T. Wall, II
- South Carolina – D. Ann Hyde
- South Dakota – Ed Ligtenberg
- Tennessee – Jim Cosby
- Texas – Kathie Winckler
- Utah – Leo S. Lucey
- Vermont – Jacqueline Kotkin
- Washington – Doreen Geiger
- West Virginia – Henry E. Lowery
- Wisconsin – William Rankin
- Wyoming – Steve Lindly

## Milestones: 2002–2012

- **2002**
  - Reached the 35-state threshold in June.
  - Governing body met for the first time in Scottsdale, Arizona.
  - Elected the officers.
  - Adopted transition rules.
  - Adopted bylaws.
  - Adopted a budget of \$ 1,017,000.
  - Named Rick Master general counsel.
  - Named Pat Tuthill the victims' representative.
- **2003**
  - Published the first annual report.
  - Hired Don Blackburn, the first executive director.
- **2004**
  - Hired Ashley Lippert as the assistant executive director.
  - The Commission resolved its first formal dispute between the states.
- **2005**
  - Massachusetts was the last state to pass enabling legislation to join the compact.
  - Established a rainy-day fund.
  - Chair appointed the first ad hoc committee to examine emerging sex offender issues.
  - Published and distributed more than 3,000 copies of the bench book to local courts.
  - The Commission won two landmark court decisions:
    - Commonwealth of Pennsylvania Board of Probation and Parole, et al. v. Interstate Commission for Adult Offender Supervision, U.S. District Court for the District of Columbia.
    - Interstate Commission for Adult Offender Supervision v. Tennessee Board of Probation and Parole, et al., U.S. District Court for the Eastern District of Kentucky.
- **2006**
  - The Commission established the DCA Liaison Committee as an additional standing committee.
  - The first formal complaints that result in an enforcement action are filed against Pennsylvania and Texas by Ohio.
  - The American Bar Association published 'The Evolving Use and the Changing Role of Interstate Compacts: A Practitioner's Guide,' by Rick Masters.
  - Implemented online training curriculum.
- **2007**
  - Harry Hageman hired as the second executive director.
  - Sam Razor hired as the second assistant executive director.
  - Approved a budget to fund the development and maintenance of a national offender tracking system.

- **2008**
  - The Commission launched the Interstate Compact Offender Tracking System (ICOTS).
  - First national accounting of offenders on compact supervision.
  - Transfers that used to take months are now completed in weeks, and even days.
  - Implemented a "best practice" program.
  - Implemented a self-assessment and accreditation program.
  - Published a "Probable Cause Hearing Guide."
  - Announced a New Commissioner Mentoring Program.
  - Published a "State Council Orientation Guide."
- **2009**
  - ICAOS website received major overhaul, including a forum for offenders and families.
- **2010**
  - ICAOS rules published in Spanish.
  - ICAOS and ICJ agreed to an MOU to share services and equipment saving.
  - Launched the ICOTS "public portal" for victims and law enforcement.
- **2011**
  - Implemented a National Compliance Audit Program.
  - Published an interactive online version of the ICAOS rules.
  - Implemented long-term investment strategy.
  - The national office launched an ICOTS helpdesk.
  - The Commission approved a three-year contract extension with Appriss to host and maintain ICOTS.
- **2012**
  - Introduced a new learning management system.
  - The number of field staff trained reached the 20,000 mark.
  - Thirteen states offered continuing legal education credits for completing the ICAOS legal training modules.

Past Award Recipients			
Year	Chairman's Award	Ex. Director Award	Peyton Tuthill Award
2011	Gary Tullock	Kari Rumbaugh	Cindy Brignon
2010	Wayne Theriault	Regina Grimes	Denise Giles
2009	Kathie Winckler	Rose Ann Bisch	Jennifer Marsh
2008	William Rankin	Anne Precythe	Dan Levey
2007	D. Ann Clarke	Milton Gilliam	Ann Gustafson
2006	Dori Ege	Gregg Smith	Sen. Robert O'Leary
2005	Harry E. Hageman	Charles Placek	Anita Richards
2004	Sharon Jackson	Karen Tucker	Paul Brown
2003	Kathie Winckler & Milt Gilliam	D. Ann Hyde	Sen. Denton Darrington



# A Day in the Life of a Deputy Compact Administrator – A Comparison from 2003 to 2012

*By Dori Ege, Arizona*

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It has been nine years since I wrote about a deputy compact administrator's typical day for the first volume of the ICAOS Newsletter. Now, comparing that day in 2003 to a day in 2012, I find that many interesting and exciting changes have taken place, while some things have not changed at all.

**8 a.m.** A typical day still doesn't begin with a cup of fresh coffee; the coffee gets poured but grows cold while phone calls and emails are answered. It is interesting to note that in nine years the phone keeps ringing despite the increased use of email and computers. We are in constant communication with one another via telephone and email to resolve disputes, discuss staff cases or provide technical assistance regarding the interstate compact rules. The day is off to its usual start...

**10 a.m.** In comparing that day in 2003 to now, the word "rewarding" comes to mind because my day is filled with answering questions and assisting with the interstate compact process. Deputy compact administrators across the country, like me, continue to provide assistance to the criminal justice community and the public regarding the transfer process, concerns about a transfer, etc. It's rewarding when an offender is transferred to a state where he or she will be more successful and the interest of public safety is protected. The 10 o'clock hour goes by fast.

**11 a.m.** During the course of the day I cannot help but compare the differences between a pre-national office and pre-ICOTS (Interstate Compact Offender Tracking System) day versus the daily routine of a deputy compact administrator, who today has the advantage of both. We now have access to a talented and well-versed staff in the national office that provides all member states with technical support, assistance with meetings, training, maintenance of the national website and, of course, the development, launch and implementation of ICOTS. How did I get through the day without ICOTS, the ICAOS website or the national office? How did any of us? I, for one, do not want to go back to 2003.

**1 p.m.** By this time in 2003, the mail was just arriving. It would take staff more than an hour to just open and sort the day's mail. In addition to the mail, faxed requests for reporting instructions, violation reports, closures, etc., inundated the interstate compact office. Tracking the paperwork in 2003 was time consuming, and states relied on local databases to track the status of the transfer of offenders and associated correspondence. The implementation of ICOTS has not only streamlined the transfer process, it also has driven consistency from state to state and provides states with tools such as reports to monitor their compliance within the important periods our rules require. ICOTS has definitely improved the efficiency and functionality of my office, and the comparison makes me grateful.

**3 p.m.** Some aspects of my day in 2012 are very similar to 2003. As a deputy compact administrator, I am responsible for ensuring compliance with interstate compact rules. This involves monitoring Arizona's responsibilities for adhering to time frames and ensuring Arizona is not allowing offenders to relocate outside the auspices of the interstate compact and its rules. The responsibilities are the same nine years later, but how I monitor this compliance vastly differs. The reports available via ICOTS and via the ICAOS website have provided deputy compact administrators with a very useful tool. I am able to run compliance reports for Arizona and can focus specifically on one county or even one ICOTS user. I spend the best part of the afternoon running and analyzing these reports and contacting my local users.

**5 p.m.** The day is coming to an end in the same manner as in 2003. I continue to work on a list of cases regarding an invalid rejection by another state or an offender in Arizona in violation of interstate compact rules or vice versa. Though training efforts have substantially increased through the implementation of web-based trainings and on-demand modules via the ICAOS website, non-compliance with the interstate compact rules still remains an issue today. I look forward to tomorrow as our efforts to achieve compliance and promote public safety continue simply by showing up and pouring a fresh cup of coffee.

# Compliance Audits: Improved Public Safety through Accountability

Improvements in compliance since FY 2011:

**12.6 days**

The average number of days between notice of departure and arrival notice has decreased by 12.6 days.

**7%**

The number of progress reports submitted increased by 7 percent.

**56%**

The average amount of time to respond to case closure notice decreased by 12.1 days, or 56 percent.

**1.7 days**

The average time to complete the 45-day investigation decreased by 1.7 days.

The focus of the FY 2012 audit differed significantly from the FY 2011 audit. Instead of scheduling every state for a compliance audit, the Commission scheduled only the fourteen states that had not complied with five or more standards. In addition to limiting the number of states scheduled, the number of standards measured decreased. The compliance audit only examined the standards the state previously failed. The FY 2013 compliance audit will be much more expansive. All states are scheduled for a compliance audit on the full set of standards; however, the audits will be unannounced. As opposed to alphabetical order, the 2013 audit schedule is random, with each state having at least nine months from its most recent audit.

Overall, the results of the FY 2012 audit were positive. The states that received an audit showed significant progress toward reaching the acceptable levels of compliance. On average, substantial gains toward compliance occurred in each standard with one exception. Most of the states that received a follow-up audit failed to improve on their ability to comply with Standard 4.106. These states are not unique; compliance with this standard is challenging for all states.

STANDARD	# of States Audited	Average Improvement
2.110	1	100%
3.101-1 (b), 3.101 -1(c), 3.103 (a)(2) & 3.106 (a)(2)(A)	5	13%
3.103 (d)	2	18%
3.103 (e) (1)& 3.103 (e)(2)	3	25%
3.104	9	12%
3.106 (c)	7	4%
4.102 & 4.112 (a)(1)	13	7%
4.105(a)	11	-81.18 <sup>1</sup>
4.105(b)	11	-81.27 <sup>1</sup>
4.106	13	-2%
5.105 & 5.108	1	32%
Misc 101	2	-44.00 <sup>1</sup>
Misc 103	6	-87.33 <sup>1</sup>
Misc 105 <sup>1</sup>	1	100%
Misc 106 <sup>1</sup>	1	100%
Misc 107 <sup>1</sup>	2	75%

<sup>1</sup>Compliance measured on a threshold basis, not percentage; a negative number indicates an INCREASE in compliance

## Technical and Training Assistance Program: Take Advantage of a Helping Hand ... for Free

In 2008, the Commission recognized a need among states for special assistance and, subsequently, created the Technical and Training Assistance Program. The goal of this program is to help states develop operational procedures, processes and reports to increase efficiency and compliance by offering them effective solutions, resources and funding for the training of line officers, judges and other groups. The Commission funds the entire program and provides these services at no cost to the states.

In years past, the program focused on conducting remote trainings. Numerous states took advantage of the opportunity to train thousands of officers and saved over \$80,000 in training costs and an untold amount of travel time and expenses.

This year the program took an important step forward and expanded the services offered. Texas requested technical assistance from the ICAOS national office in analyzing data in problematic areas of compliance and determined that over-represented small groups of individual users constituted a majority of its problems. As a result, the national office, along with the Training Committee, developed a pilot project to direct resources (via instructive emails) to those individual users in an unobtrusive way.

### Three focus areas for the initiative with Texas:

- Users who repeatedly create duplicate offender profiles in ICOTS
- Users who incorrectly responded to violation reports
- Users who do not respond to case closure notices in a timely manner

The national office emailed instructive tutorials about the correct method of operation to each user. After thirty days, users who were still engaging in the problematic behavior received another tutorial via email. If the problems persisted, this occurred again after sixty days. After ninety days, the initiative was completed, and the results were as follows:

Technical and Training Assistance – User Analysis Initiative Results	
	% Improvement
Duplicate Offenders	25%
Violation Responses	91%
Closure Responses	100%

The results were better than anticipated, with the issue of case closure responses completely resolved.

If you are interested in requesting assistance, please refer to the guidelines for request submissions outlined in the policy. All member states of ICAOS are eligible for assistance. Complete copies of the Training and Technical Assistance Policy are available on the Commission's website. The executive director and Training Committee chair review all requests received prior to approval.

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*This year the program took an important step forward and expanded the services offered*

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## Offender Demographics

In FY 2012, the states supervised 115,038 compact offenders, an increase of 1.2 percent over the previous year. The demographics of the interstate offender population continue to be consistent with those offenders on state and local supervision when measured by gender, age and race.

Offender Demographics for Interstate Compact Offenders					
		Probation	Parole	Dual	TOTAL
Female	American Indian or Alaskan Native	302	53	25	380
	Asian or Pacific Islander	245	22	3	270
	Black	5,335	678	244	6,257
	Unknown	208	28	8	244
	White	14,792	1,907	722	17,421
<b>Female Totals:</b>		20,882	2,688	1,002	24,572
Male	American Indian or Alaskan Native	600	198	56	854
	Asian or Pacific Islander	874	167	48	1,089
	Black	18,244	7,949	1,848	28,041
	Unknown	1,806	359	67	2,232
	White	42,836	11,966	3,448	58,250
<b>Male Totals:</b>		64,360	20,639	5,467	90,466
<b>Grand Totals:</b>		85,242	23,327	6,469	115,038

## Gender

Male offenders on compact supervision are over-represented in both the probation and parole population. Of those offenders on interstate compact supervision (probation or parole), 78.6 percent are male and 21.4 percent are female. This is consistent with the general probation and parole population, according to the Bureau of Justice Statistics 2009 report.

## Acceptance and Rejection Rates

The average rate of acceptance declined 20 percent since FY 2010. On average, the states accepted 69 percent of the total number of transfer requests. In addition, the number of transfers processed decreased by 2.8 percent, or 2,444 requests. Offenders who were a resident of the receiving state constituted the group most likely to have its request approved. In contrast, discretionary transfer requests are the least likely to be approved.

Discretionary transfer requests account for 14 percent of all requests but represent only 10 percent of the accepted transfer requests. The finding is consistent with the rates from FY 2011. The rate of acceptance for discretionary cases dropped to 54 percent, down 2 percent from last year. This represents a 10 percent decrease from FY 2010. States vary widely in their willingness to accept discretionary transfers, from a low of 29 percent to a high of 100 percent.

Acceptance and Rejection Rates			
Accepted Cases	Rejected Cases	Accepted %	Reason for Transfer
256	96	73%	Live with family who are military members
97	23	81%	Military member
29,395	12,325	70%	Resident family and employment or means of support
6,432	5,455	54%	Discretionary
414	231	64%	Employment transfer of the offender to another state
181	75	71%	Employment transfer of family member to another state
23,631	4,950	83%	Resident of receiving state within the meaning of the compact
60,406	23,155	71%	Totals/Average Rate of Acceptance

## Regional Perspective

The rate of acceptance for a discretionary transfer varies widely across the country with geography playing a significant role. The Midwest Region, with an average acceptance rate of 59 percent, is mostly likely to approve a discretionary transfer while the West Region, with an average acceptance rate of 47 percent, is the least likely to approve a discretionary transfer.

## Victim-Sensitive Cases

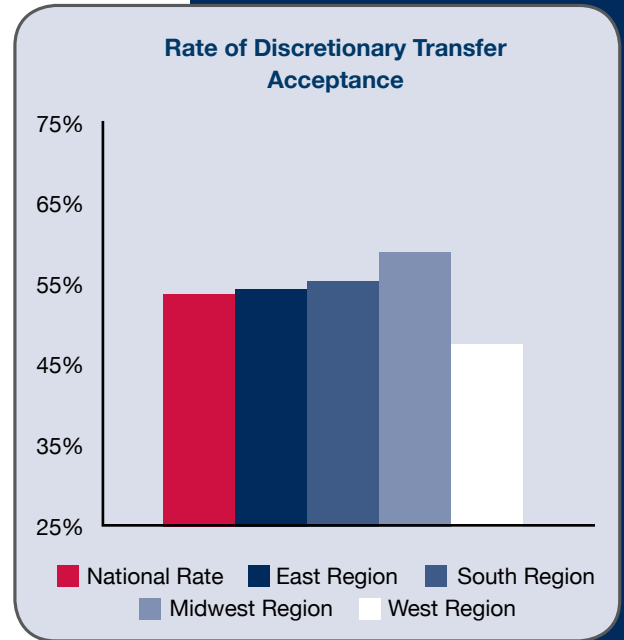
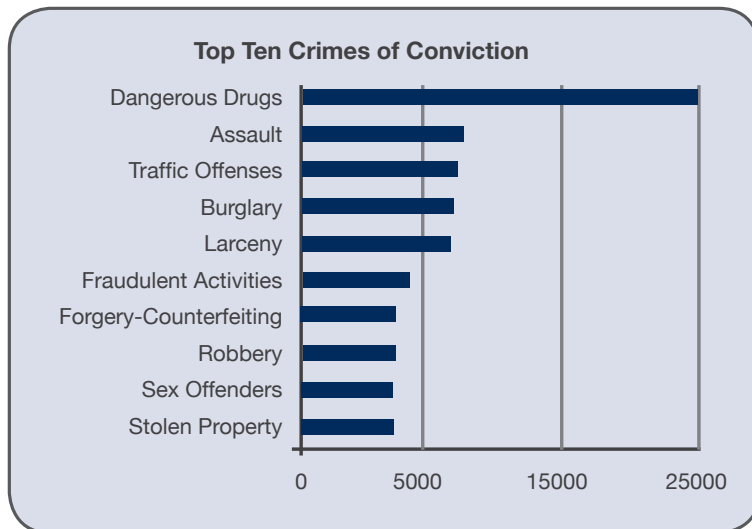
Transfer requests identified as victim-sensitive by the sending state, in accordance with the definition of “crime victim” in the sending state’s statutes, are approved at a lower rate than those that are not victim-sensitive. Approximately 11 percent of the offenders transferred in FY 2012 are victim-sensitive designated cases, a 1 percent decrease compared to FY 2011. Of the 9,262 transfer requests designated as victim sensitive, 71 percent received approval by the receiving state. Traditionally, the rate of acceptance for victim-sensitive cases trails behind that of the general offender population, but as the rate of acceptance for the general offender population has dropped, the victim-sensitive acceptance rate has remained relatively constant.

## Registered Sex Offenders

In FY 2012, 6,204 sex offenders applied for interstate transfer; this rate of application is consistent with the previous three years. The states approved 49 percent, or 3,029 sex offender transfer requests. Sex offenders are 22 percent more likely to have their transfer request rejected, regardless of reason for transfer, than non-sex offenders. Sex offender transfers compose 5 percent of the total number of transfers for FY 2011, but that percentage climbed significantly to 7.4 percent in FY 2012.

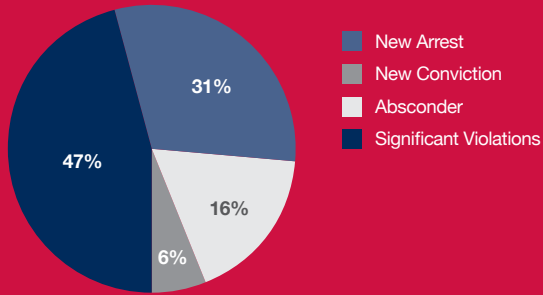
## Crimes of Conviction

The crime of conviction for compact offenders mirrors the general population of probation and parole offenders. In the table shown, the top five crimes of conviction account for over half of the total.

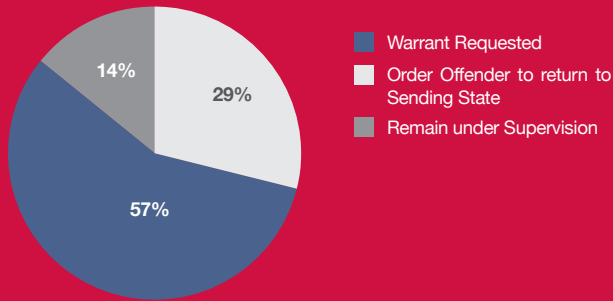


**The ICAOS rules define a sex offender as:**  
 An adult placed under, or made subject to, supervision as a result of the commission of a criminal offense and released to the community under jurisdiction of the courts, paroling authorities, corrections, or other criminal justice agencies. In addition, the offender is required to register as a sex offender either in the sending or receiving state and is required to request a transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

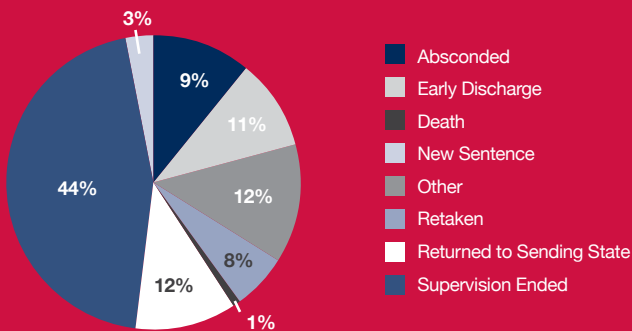
### Types of Violations



### Violation Report Recommendations



### Reasons for Case Closure



### Violations

The states submitted 34,640 violation reports in FY 2012. This represents a 12 percent decrease in the number of reports filed. This reduction is largely due to improved training and a 54 percent reduction in incorrectly submitted reports. The number of violation reports with the recommendation of “continue under supervision” decreased by 4,750.

The type of violations remains consistent with those reported in FY 2011, where nearly 50 percent involve the commission of a significant violation, 6 percent are the result of a new conviction, 16 percent are for absconding and 31 percent relate to a new arrest.

The number of registered sex offenders that violated their supervision continues to remain steady from year to year (5 percent), but the number of violations involving victim-sensitive cases increased from 9 to 11 percent. Both percentages are consistent with their proportion of the general offender population.

*A significant violation is 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.*

### Case Closures

The states closed supervision on 63,835 compact offenders, a drop of 6 percent, or 4,115 cases, from last year. Despite the decrease in every other category, the number of cases closed with a reason of “retaken” increased by 4 percent from FY 2011 to FY 2012. There has been a 24 percent increase in the cases closed with the reason as retaken since FY 2010.



# Mandatory Retaking of Offenders – The Topic of the Day

The ICAOS rules define retaking as “the act of a sending state in physically removing an offender, or causing to have an offender removed from a receiving state.” In other words, when an offender is subject to retaking, the sending state is required to transport the offender in custody back to its jurisdiction.

At the 2010 Annual Business Meeting in San Antonio, Texas, the Commission passed several rule amendments expanding mandatory retaking to all violent offenders. Prior to these amendments, the sending state had the option to order violent offenders (who were not convicted of a new felony or had absconded) to return to the sending state under their own volition.

At the time of passage, states recognized that the rule amendments would increase the number of offender retakings and the associated cost. For the states that voted in favor of the amendments, the expected improvement in public safety justified the increase in expense.

The rule amendments effectively reduced the number of violent probationers and parolees who travel, unsupervised, across the country to face likely revocation. Anecdotally, the number of absconders from FY 2011 to FY 2012 dropped by 10 percent when retaking increased by 4 percent.

While gains toward public safety are apparent, there are unintended consequences. States’ resources for transporting offenders are limited. As a result, some jurisdictions are terminating supervision to avoid the cost of retaking the offender. This is particularly troublesome given the often violent and non-compliant nature of the offenders in question.

Since FY 2010, the number of cases closed with a given reason of retaken increased by 24 percent. During the same period, the number of cases terminated before their supervision end date – after the receiving state requested a warrant for retaking – increased by 38 percent. When comparing early discharge rates by state, not all states are processing early discharges at the same rate. The five states with the most early discharge cases constitute 35 percent of all early discharges.

Early Discharges with a Warrant Requested			
State	FY 10	FY 11	FY 12
AK	2	14	3
AL	107	175	154
AR	149	276	360
AZ	133	223	116
CA	155	275	222
CO	197	248	201
CT	71	130	174
DC	5	20	20
DE	47	75	42

Early Discharges with a Warrant Requested			
State	FY 10	FY 11	FY 12
FL	287	386	378
GA	525	821	946
HI	22	17	27
IA	46	84	76
ID	140	128	174
IL	266	378	312
IN	154	194	167
KS	75	122	162
KY	375	438	505
LA	181	294	308
MA	27	26	19
MD	50	130	115
ME	26	19	16
MI	172	273	281
MN	190	240	162
MO	487	725	640
MS	84	133	215
MT	143	153	156
NC	113	138	168
ND	39	54	45
NE	33	27	34
NH	87	119	90
NJ	370	370	371
NM	70	72	102
NV	45	112	72
NY	135	258	309
OH	236	332	239
OK	258	241	262
OR	110	155	104
PA	228	231	242
PR	-	-	6
RI	116	198	119
SC	123	153	186
SD	21	47	28
TN	112	157	212
TX	604	861	812
UT	35	56	35
VA	446	762	777
VI	1	-	-
VT	6	24	17
WA	56	33	28
WI	172	214	155
WV	43	76	76
WY	39	54	79



## Programs, Services and Accomplishments

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### Administration and Legal

- Implemented the FY 2012 compliance audit program and set the standards for the FY 2013 audit
- Published 220 newsletters, announcements and emergency notifications
- Surveyed the states on retaking procedures
- Coordinated the 2011 Annual Business Meeting in Montgomery, Alabama, and 44 online region and committee meetings
- Offered on-site orientations for new commissioners
- Published three advisory opinions

### Technology

- Introduced three new releases to ICOTS
- Launched the ICAOS mobile website
- Negotiated a three-year contract renewal with Appriss, Inc., to host and maintain ICOTS
- Transferred the ICOTS helpdesk function from Appriss to the national office staff
- Published a new set of comprehensive compliance reports through the ICOTS external reports
- Reorganized the website to link the training resources to the applicable rules
- Initiated a data-sharing pilot with state fusion centers
- Continued independent ICOTS performance monitoring

### Training

- Thirteen states offered continuing legal education credit to those who participate in ICAOS training programs
- Thirty-seven field training sessions; 2,959 attendees
- Four compact office training sessions; 40 states attended
- Online Learning Administrator training; 60 attendees
- Implemented a new learning management system to improve the delivery and tracking of on-line courses
- Five states received training assistance through the Technical and Training Assistance Policy
- Updated the Judicial Bench Book, the Commissioner Handbook and the field officer training curriculums
- Expanded training topics and online modules



## New Rules and Amendments Effective March 2012

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- ICAOS Bylaws Article VII Section 3 – Ad hoc Committees
- Rule 1.101 Definition for resident and violent offender
- Rule 3.105 Pre-release transfer
- Rule 3.107 Transfer request
- Rule 4.111 Return to the sending state
- Rule 4.112 Closing of supervision by the receiving state

## FY 2012 Advisory Opinions

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**3–2012 (published 05.14.2012)** – At issue: Whether an offender whose supervision was never transferred under the Compact and who subsequently absconds supervision is subject to the terms of the Compact and ICAOS rules and may the State from which the offender absconded return the offender under the Compact or is the Extradition Clause of the U.S. Constitution the only means by which such an absconder may be returned?

**2–2012 (published 04.20.2012)** – At issue: Can a receiving state's acceptance of an application for transfer of supervision under ICAOS Rule 3.105 (a) or approval of reporting instructions be the cause of a release of an offender from a correctional facility which would otherwise keep the offender incarcerated?

**1–2012 (published 01.30.2012)** – At issue: Are persons 'acquitted' by reason of insanity under the New Jersey 'Carter-Krol' statute eligible for interstate transfer of supervision under the Compact?.

*\*The full text of the advisory opinions can be found in the legal section of the Commission's website.*

## Standing Committees Compliance

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Mike McAlister, NH, Chair  
Chris Norman, AL  
Jane Seigel, IN  
Genie Powers, LA  
John Rubitschun, MI  
Pam Bunke, MT  
Catherine Gibson-Beltz, NE  
A.T. Wall, RI  
Mike Mayer, UT  
Victoria Jakes, SC, Ex Officio  
Pat Tuthill, FL, Ex Officio  
Sally Holewa, ND, Ex Officio

## Rules

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Gary Tullock, TN, Chair  
Jane Seigel, IN, Vice Chair  
Dori Ege, AZ  
Ronald Taylor, AK  
David Eberhard, AR  
Tim Hand, CO  
Jenny Nimer, FL  
Jule Cavanaugh, WI  
John Rubitschun, MI  
Ed Ligtenberg, SD  
Gerald VandeWalle, ND, Ex Officio  
Frank Torres, CA, Ex Officio  
John Gusz, NJ, Ex Officio  
Jim Ingle, UT, Ex Officio  
Shari Britton, FL, Ex Officio

## Finance

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Charles Lauterbach, IA, Chair - Treasurer  
Gary Tullock, TN  
Kathie Winckler, TX  
Michelle Buscher, IL  
Jim Ingle, UT, Ex Officio

## Information and Technology

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Mark Cadotte, OR, Vice Chair  
Chris Norman, AL  
Patricia Vale, MD  
Jill Carlson, MN  
Karen Nichols, WV  
John Gusz, NJ, Ex Officio  
Joe Kuebler, GA, Ex Officio  
Julie Lohman, VA, Ex Officio  
Floyd Keeney, WV, Ex Officio

*Committees continued on page 18.*

## Standing Committees

Continued from page 17

### DCA Liaison

Kim Madris, NV, Chair  
Charles Placek, ND, Vice Chair  
Sidney Nakamoto, HI  
Kari Rumbaugh, NE  
John Gusz, NJ  
Dawn Persels, OR  
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Kela Thomas, SC  
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### Training, Education and Public Relations

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Kimberly Schwant, KS, Vice Chair  
Edward Gonzales, NM  
Rose Ann Bisch, MN  
Kari Rumbaugh, NE  
Jenna James, GA  
Devon Whitefield, CO  
Shawn Arruti, NV

## ICAOS Budget Quick Facts

**3.3 percent**

The Commission increased its rate of return on investments to 3.3 percent.

**5 years**

The Commission has held expenses under budget for five consecutive years.

# Looking Ahead to Fiscal Year 2013

Two topics figure to dominate discussion in FY 2013: unannounced compliance audits and the retaking process. The topic of retaking is a frequent source of concern, and solutions will likely require the Commission expand its efforts in the areas of training, public relations and technology.

With the newly published jail administrator curriculum, the Commission will expand contact with local jails, the National Sheriffs Association and the American Jail Association to improve cooperation and reduce instances of bail release for compact offenders. These new partnerships will aid states in disseminating training materials. In addition, efforts are already underway to expand the functionality of ICOTS to include automatic victim notification and to improve the way the violation and retaking process is handled in ICOTS. Simplifying these processes through training and technology is integral in the Commission's effort to improve the retaking process.

The next scheduled Annual Business Meeting is August 29, 2012, in Madison, Wisconsin. This location provides an exciting venue to energize the Commission's membership and to tackle the difficult issues that lie ahead.

## Financial Outlook

The Commission continues to be financially stable. It approved a long-term investment plan recommended by the Council of State Governments. Under this plan, the Commission invested \$20,000 per month split between a stock market index fund and a bond-market index fund (60 percent and 40 percent, respectively). At the time of writing this report, the Commission's investment earned a return of 3.3 percent, a substantial improvement over last year's 0.75 percent return.

In accordance with Council of State Governments recommendations, the Commission maintains a reserve fund. The current fund balance is \$2,104,008.65. There is an additional reserve of \$50,000 to finance unexpected legal expenses.

BUDGET	FY 2008	FY 2009	FY 2010	FY2011	FY2012*
REVENUE	\$1,440,211.94	\$1,692,118.88	\$1,630,302.31	\$1,558,253.26	\$1,542,327.09
EXPENSES	\$1,151,682.44	\$1,461,364.07	\$1,472,777.90	\$1,300,425.71	\$1,261,561.33
BALANCE	\$288,529.50	\$230,754.81	\$182,340.43	\$258,876.32	\$280,765.76

# Audit Report

CPAs / ADVISORS



Blue & Co., LLC / 301 East Main Street, Suite 1100 / Lexington, KY 40507  
main 859.253.1100 fax 859.253.1384 email blue@blueandco.com

## REPORT OF INDEPENDENT AUDITORS

To the Governing Board  
The Council of State Governments  
Lexington, Kentucky

We have audited the accompanying statement of financial position of The Council of State Governments (a nonprofit organization, the Council) as of June 30, 2011 and 2010, and the related statements of activities and changes in net assets and cash flows for the years then ended. These financial statements are the responsibility of the Council's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Council as of June 30, 2011 and 2010 and the results of its operations, its changes in net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 2, 2011 on our consideration of the Council's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements. The supplementary information as listed in the table of contents is presented for purposes of additional analysis and is not a required part of the financial statements. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Blue & Co., LLC

November 2, 2011

### Article VIII, Finance, Section 3. Accounting and Audit

"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."

# Offenders on Compact Supervision as of the close of FY 2012

States	Incoming				Outgoing				Total Offenders
	Probation Only	Parole Only	Probation and Parole	Total Incoming	Probation Only	Parole Only	Probation and Parole	Total Outgoing	
Alabama	3,073	724	215	4,012	1,326	444	32	1,802	5,814
Alaska	166	63	7	236	169	32	67	268	504
Arizona	1,376	512	66	1,954	2,328	245	75	2,648	4,602
Arkansas	1,981	749	116	2,846	1,304	1,400	116	2,820	5,666
California	4,002	1,126	117	5,245	2,120	635	20	2,775	8,020
Colorado	1,147	270	62	1,479	2,292	681	48	3,021	4,499
Connecticut	846	178	23	1,047	1,010	121	79	1,210	2,257
Delaware	568	128	38	734	386	27	31	444	1,178
District of Columbia	656	108	77	841	513	4	-	517	1,358
Florida	4,917	1,762	319	6,998	6,416	221	50	6,687	13,685
Georgia	3,548	915	105	4,568	7,779	1,341	710	9,830	14,397
Hawaii	169	42	4	215	295	124	2	421	636
Idaho	406	141	24	571	1,124	427	24	1,575	2,146
Illinois	3,638	1,269	182	5,089	2,061	827	65	2,953	8,041
Indiana	2,396	741	109	3,246	2,133	346	44	2,523	5,769
Iowa	1,108	311	48	1,467	899	265	37	1,201	2,668
Kansas	1,156	431	76	1,663	979	447	73	1,499	3,162
Kentucky	1,980	432	85	2,497	2,361	761	132	3,254	5,751
Louisiana	2,217	787	121	3,125	1,807	1,017	211	3,035	6,160
Maine	272	70	17	359	192	2	3	197	556
Maryland	2,900	461	118	3,479	992	270	215	1,477	4,956
Massachusetts	1,295	218	48	1,561	899	68	57	1,024	2,585
Michigan	1,836	592	75	2,503	1,363	699	46	2,108	4,610
Minnesota	1,277	288	86	1,651	2,080	291	51	2,422	4,073
Mississippi	1,673	578	99	2,350	1,714	513	221	2,448	4,798
Missouri	2,227	859	142	3,228	3,886	1,395	304	5,585	8,812
Montana	320	99	19	438	638	187	128	953	1,391
Nebraska	553	189	29	771	337	84	8	429	1,200
Nevada	684	230	21	935	1,024	332	17	1,373	2,308
New Hampshire	441	63	20	524	330	218	24	572	1,096
New Jersey	1,992	495	86	2,573	2,526	816	67	3,409	5,981
New Mexico	1,017	271	32	1,320	580	108	175	863	2,183
New York	3,740	754	118	4,612	1,830	1,364	35	3,229	7,840
North Carolina	3,558	882	199	4,639	1,308	116	28	1,452	6,091
North Dakota	582	98	35	715	424	16	75	515	1,230
Ohio	2,770	861	148	3,779	1,839	642	35	2,516	6,295
Oklahoma	1,928	887	115	2,930	1,032	214	21	1,267	4,197
Oregon	943	246	37	1,226	1,196	523	89	1,808	3,034
Pennsylvania	2,445	594	111	3,150	3,233	1,291	248	4,772	7,920
Puerto Rico	217	129	13	359	61	28	1	90	449
Rhode Island	430	42	13	485	762	31	59	852	1,337
South Carolina	2,017	468	137	2,622	1,086	233	50	1,369	3,991
South Dakota	373	72	19	464	431	294	24	749	1,213
Tennessee	3,714	965	236	4,915	2,144	518	58	2,720	7,635
Texas	4,250	1,939	359	6,548	7,400	3,073	239	10,712	17,259
Utah	563	141	18	722	349	127	7	483	1,205
Vermont	221	51	7	279	251	68	3	322	601
Virginia	1,748	489	102	2,339	5,487	203	153	5,843	8,182
Virgin Islands	35	11	4	50	6	4	1	11	61
Washington	1,600	471	100	2,171	509	118	19	646	2,817
West Virginia	927	163	38	1,128	260	241	42	543	1,671
Wisconsin	1,307	241	46	1,594	1,813	1,227	216	3,256	4,850
Wyoming	342	105	18	465	454	68	18	540	1,005
<b>TOTAL:</b>	<b>85,547</b>	<b>24,711</b>	<b>4,459</b>	<b>114,717</b>	<b>85,738</b>	<b>24,747</b>	<b>4,553</b>	<b>115,038</b>	<b>229,745</b>