

Nebraska State Council
Interstate Compact for Adult Offender Supervision

June 17, 2022

Call to Order/Roll Call:

The regular meeting of the Nebraska State Council of Interstate Compact for Adult Offender Supervision (ICAOS) was called to order at 1:05 p.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, Layne Gissler, Andi Hart, Wendy Elston, Judge Julie Smith, Dawn Renee Smith.

Also in attendance: Susan Barnard

Not Present:

Jeff Davis, Athena Sherman, Judge Kenneth Vampola, Senator Machaela Cavanaugh and Elizabeth McQueen.

A quorum was established.

Minutes:

Commissioner Reinhardt-Stewart reviewed the items in everyone's folder – agenda, meeting minutes from September 20, 2021, Final Report of the FY22 Rejection Assessment, and Approved Rule Amendments and ICOTS Enhancements.

Dawn Renee Smith moved to approve the minutes of the September 20, 2021, meeting, Layne Gissler seconded. Members who abstained from voting were Wendy Elston, Judge Julie Smith and Gene Cotter. The motion passed by majority vote.

Old Business:

Welcome New Members

Commissioner Reinhardt-Stewart welcomed new members Wendy Elston, Seward County Attorney representing the County Attorneys Association, and Judge Julie Smith, District #1 in Johnson County.

NE Training Updates

Commissioner Reinhardt-Stewart acknowledged that regarding the Rules Amendment training, although Probation and Parole had planned to do this as a combined training, it was decided to do separately due to training on the FY22 Rejection Assessment.

DCA Rader shared that they trained almost 300 officers who are actively engaged in the transfer and of Probation cases, that this is offered every year and is recorded so if they have staff that need refreshers or additional information it is available.

Commissioner Reinhardt-Stewart shared that the Rules Amendments and ICOTS Enhancement training was conducted for Parole which was recorded so those unable to attend the live session were able to complete using the recorded session. In addition to that training Parole included information from the FY22 Rejection Assessment, specifically what was identified that could be done to improve the acceptance rates for outgoing as well as incoming Transfer Requests. Refresher training was also conducted regarding Parole's Quality Assurance Program as well as its Incoming Transfer Request process (standard operating procedures). These trainings were also recorded and are being utilized to train all new hires on both topics.

Commissioner Reinhardt-Stewart shared that in November 2021, Katherine Rector from the Nebraska State Patrol conducted DNA Collection Training for Parole which was initiated due to the Patrol's change from manual collection cards to completing collection cards in CODIS Prelog as well as due to the number of new staff within the agency. Commissioner Reinhardt-Stewart expressed appreciation for Ms. Rector conducting this training for Parole.

Commissioner Reinhardt-Stewart also shared that the Parole Compact Office plans to conduct further training on activating interstate clients coming into the state for staff that are delegated this task. Additional training for staff on entering Transfer Requests and Request for Reporting Instructions in the Interstate Compact Offender Tracking System (ICOTS) will also be conducted. Although intended for Assistant Parole Officers it will be open to officers who want to attend.

New Business:

ICAOS Committee Reports

Training Committee

For the benefit of new members, Commissioner Reinhardt-Stewart reiterated she serves on the Training Committee at the National level and both she and DCA Rader serve on the Compliance Committee. As far as the Training Committee, she shared the Committee has had 3 meetings since the Annual Business Meeting in September 2021. One of the Committee's goals for the year is looking at revamping a piece of the Interstate Commission's Website pertaining to *Navigating the Compact*. Some rewriting is required and the intent is to have this accomplished by the Annual Business Meeting this fall. The Committee has also been reviewing the agenda for the Annual Business Meeting and may have some pieces to assist with training. The Deputy Compact Administrator Training Institute will also be held in conjunction with the annual meeting.

Compliance Committee

Commissioner Reinhardt-Stewart shared that the Compliance Committee has held 3 meetings during the same period. Goals were reviewed for the year. With regard to developing an acceptance rate standard, there has not been any decision as yet. The Committee has been addressing two complaints,

one of which involved failure to issue a warrant that was required by the Compact and the other for failure to retake an offender. Both have been resolved.

Commissioner Reinhardt-Stewart also shared the Committee has been discussing adding more compliance dashboards. It has also reviewed the FY22 Rejection Assessment Report, with discussion around some possible modifications to the dashboards. DCA Rader added that there are pieces that don't have standards that are already set and that the Committee is looking at how to report information such as 80 percent or better on Transfer Request replies within a certain time frame so a lot of the content has been focused on that.

Commissioner Reinhardt-Stewart reported she is working on a Tribal work group in which the Committee is pulling together information from its members on what they are doing in their states, such as whether offenders are supervised on the Reservations and whether states have agreements with the Tribes. She shared information on whom Nebraska Parole currently has agreements.

Update on DCA Dashboard Program

Commissioner Reinhardt-Stewart shared the DCA Dashboard Program, quarters 3 and 4, have been completed. Quarter 3 (January through March) focused on cleaning up information in ICOTS, such as profiles of offenders without case information and rejected cases, and Quarter 4 pertained to user management which involves deactivating users in ICOTS when they are no longer with the agency.

Update on FY22 Rejection Assessment – Final Report

Commissioner Reinhardt-Stewart provided some background information as to what led to the FY22 Rejection Assessment being conducted, specifically it was determined that not much improvement had been made since the Commission conducted a discretionary transfer assessment in 2016. In conducting the Rejection Assessment, the Commission requested all states complete a self assessment; Parole and Probation each completed their own and were submitted to the National Office on December 21, 2021. Of note is that when the 2016 assessment was conducted it reviewed only discretionary cases for the entire year. However, for the FY22 assessment they only looked at the month of April 2021 for both discretionary and mandatory rates. The Final Report provided information on the reasons for rejection and gave recommendations to states on how they might improve their acceptance rates such as training.

DCA Rader shared Probation also did training on the FY22 Rejection Assessment. With regard to Transfer Requests, they trained as the sending state on how to build the case, how to justify/promote it, why it should be transferred, and then from a receiving state standpoint when investigating a Transfer Request to look at "where is the best place for the offender" and how to make that happen. Commissioner Reinhardt-Stewart shared that Parole included the Nebraska Department of Correctional Services Re-entry staff in its training. One of the changes resulting from the assessment was a revision to the questions that are asked when doing verifications for a Transfer Request and those have been expanded so they are more specific and is being used by both Reentry and Parole. She also shared other aspects of the training that were addressed regarding verifications. Ms. Barnard from Probation added that they have been requesting in writing from the parents that it is okay for the offender to live with them and if the offender wants to live with a spouse, but the spouse has a different last name, then a marriage license is requested.

This topic generated considerable discussion surrounding discretionary cases, request to transfer cases falling outside the misdemeanor Rule, and issuing a warrant in a probation case if the County Attorney has not yet filed a motion to revoke.

Update on Rule Amendments & ICOTS Enhancement Effective Dates

Commissioner Reinhardt-Stewart shared that the By-laws amendment that added an ex-officio member went into effect immediately upon the vote being taken at the Annual Business Meeting. The other amendments pertaining to definition of resident, probable cause hearings, change in timeframe for issuing warrants to a standard 15 business days went into effect April 1, 2022. The ICOTS enhancements didn't go into effect until June 1, 2022, due to a delay with Appriss, the company that was developing the changes. Now that it has gone into effect, states have started using the warrant tracking feature. It was shared in the last meeting that Parole and Probation have been tracking warrants external to ICOTS so will now be able to track in ICOTS. There is a piece that is also available in ICOTS for discretionary retaking to manage that as well. DCA Rader stated that Probation has started it and it works well. Ms. Barnard added that she tried it out on historical cases and likes how it works and explained the email notifications that are periodically generated to update the warrant tracking information in ICOTS. She stated they aren't having officers handle the warrant information, that it is being done by the Compact Office. Commissioner Reinhardt-Stewart stated that for Parole this hasn't been started as yet since there have been no new warrants issued since it took effect but that the plan is to enter warrants that are still outstanding and is also being managed by the Compact Office.

FY23 Data Integrity Audit

Commissioner Reinhardt-Stewart shared that the FY23 Data Integrity Audit will be starting July 1, 2022, and that the audit will be looking at the categories that were reviewed as part of the DCA Dashboard Program. The areas of focus will be (1) Demographic, (2) Photo, (3) Junk/Duplicate Offender Profile Clean-up, (4) Rejected Case Clean-up, and (5) Offenders Awaiting Retaking.

Annual Business Meeting – New York City, NY

Commissioner Reinhardt-Stewart shared that the Annual Business Meeting will be held in New York City September 26-28, 2022, and that she and Blair Hofeldt will be attending from Parole. DCA Rader shared that she and Ms. Barnard would be attending from Probation.

Next Meeting – Adjourn

Commissioner Reinhardt-Stewart stated she would send out a Doodle Poll for the next meeting with possible dates/times in October so members can respond as to their availability.

There being no further business, Gene Cotter moved to adjourn the meeting; seconded by Layne Gissler.

The meeting adjourned at 1:52 p.m.

Submitted by: Sharon Wilkens