INTERSTATE COMMISSION FOR ADULT OFFENDER SUPERVISION

COMPLIANCE COMMITTEE
TELECONFERENCE MEETING

Tuesday, May 10, 2006
1:00 p.m. (EST)

Committee Members in Attendance (Compliance):

1. Warren Emmer (ND)
2. Dave Nelsen (ID)
3. Mike Ferriter (MT)
4. Bill Rankin (WI)
5. Leo Lucey (UT)
6. Robert Oakes (AL)
7. Vernon Skuhr (MD) (substituting for J. Sachwald)

Committee Members not in Attendance:

1. Wayne Theriault (ME)
2. Jacqueline Kotkin (VT)

Committee Members in Attendance (Audit):

1. Warren Emmer (ND)
2. Dave Nelsen (ID)
3. Colleen Fickel (PA) *ex-officio*
4. Gregg Smith (LA) *ex-officio*

Committee Members not in Attendance (Audit):

1. Jacqueline Kotkin (VT)
Guests:

1. David Guntharp  
2. Kathie Winckler  
3. Harry Hageman

Staff:

1. Don Blackburn  
2. Rick Masters  
3. Mindy Spring  
4. Whitney Hall  
5. Stephanie Scott  
6. Xavier Donnelly

- Meeting called to order at 1:03 pm EST by W. Emmer. 8 members were present, establishing a quorum.

- W. Rankin moved and R. Oakes seconds a motion to approve the agenda for the current meeting.

- Motion passed.

- R. Oakes moved and D. Nelson seconded to approve the August 1, 2005 Meeting minutes.

- Motion passed.

- D. Blackburn explained several Complaint cases open currently. The National Office has sent all the documents concerning these cases to the Compliance Committee.

- W. Emmer proposed looking at Part B on Strategy 2 of the Compliance Committee Strategies.

- R. Masters noted that as long as discussion of these Complaints stays general, then we can continue as a public meeting, but if someone wants to have an in depth discussion on these Complaints the Committee will have to go into private session.

- R. Masters explained that according to Rule 6.103 the Committee must determine whether or not the states of Pennsylvania and Texas have violated the Rules of the Compact and then what action will be taken in response. A member will investigate each of these complaints and will report back to this Committee regarding these cases. Then actions to be taken should be proposed by the Compliance Committee to the National Office.
R. Masters explained that we can proceed as a public meeting until we get to the point of discussing actions the Compliance Committee should take. Also, if we follow Section B on Strategy 2 of the Compliance Committee, we will be following procedure.

W. Emmer assigned Leo Lucey to investigate the OH v. TX Complaint. The timeframe for this investigation will be before the June Rules/Compliance/Audit Committee Meetings.

W. Emmer assigned himself for the OH v. PA Complaint.

D. Blackburn explained the situation in Puerto Rico. Their offices have been shut down due to funding issues. They are not able to do any new investigations in PR due to their government funding problems. Puerto Rico is also in default with the National Office because they have not paid their FY06 dues.

R. Masters began discussion on PR’s violation of the Rules of the Compact because they have not paid dues. The Committee can thus find PR in default of the Compact and the Compliance Committee can decide to take action to declare them in default and propose some remedy.

W. Rankin stated that Section B should be applied; getting a report from Puerto Rico and then proceeding as necessary.

W. Emmer assigned W. Rankin to call the Commissioner of Puerto Rico and report on their case at the June Meeting in Lexington.

W. Emmer shifted discussion to the “audit tool.”

D. Nelson explained the “audit tool,” the Quality Self Assessment Report. After the QSA the state writes an Action Plan on how to deal with issues of non-compliance in that state.

C. Fickel said that the Assessment should look at broader issues and suggested using graduated responses. Not all states are accredited with ACA.

W. Emmer said that they already have the approval to test this tool on a state. W. Rankin will be traveling to Arkansas to see how the audit tool works. Then, he will report on this at the Joint June Meeting.

M. Ferriter asked where the concept of Audit came from.

R. Masters says that this is a policy and a practice that is used to assure that states are using procedures in compliance with the Compact Rules. We don’t have the full ability to determine compliance without these Audit tools.
D. Blackburn stated that this tool is a positive way to assist states, and educate them.

W. Rankin discussed his plan for auditing Arkansas.

D. Guntharp stated that audits are a positive way to help an agency improve.

G. Smith stated that Louisiana is ACA Accredited in Probation and Parole to look at this Audit in a broad sense. Ensure that this is a tool to help states identify shortcomings and get them trained in their areas of default.

W. Emmer asked for G. Smith and C. Fickel to forward W. Rankin and the Committee information on ACA Accrediting.

W. Rankin moved and R. Oakes seconded that it is appropriate to test this audit tool in Arkansas with the understanding that W. Rankin will be conducting this.

Motion Passed.

Discussion of scheduled trip to Lexington. W. Emmer emphasized the importance of attending this meeting with the Rules Committee.

R. Oakes moved and L. Lucey seconded motion to adjourn the meeting.

Motion passed.

W. Emmer adjourned the meeting at 1:49 PM EST.