Interstate Commission for Adult Offender Supervision
Executive Committee Meeting Minutes
March 11, 2013
2:00 pm ET
WebEx

Members in Attendance:
1. Milt Gilliam    Chairman, OK
2. Charlie Lauterbach  Treasurer, IA
3. Dori Ege             AZ
4. Cathy Gibson-Beltz    NE
5. Kathie Winckler      TX
6. Jane Seigel         IN
7. Chris Norman        AL
8. Kim Madris           NV
9. Mike McAlister      NH
10. Scott McCaffery    ME
11. Rick Masters      Legal Counsel

Members not in Attendance:
1. Sara Andrews  Vice-Chair, OH
2. Cheryl Marlow   HI
3. Pat Tuthill   Ex-Officio, FL

Guests:
1. Sally Reinhardt-Steward  NE
2. Ethel White             TX
3. Regina Grimes          TX

Staff:
1. Harry Hageman
2. Sam Razor
3. Barno Saturday
4. Kevin Terry
5. Xavier Donnelly
6. Mindy Spring
Call to Order
Chairman M. Gilliam called the meeting to order at 2:02 pm ET. Ten voting members were present, establishing the quorum.

Agenda
Commissioner C. Gibson-Beltz (NE) moved to approve the agenda. Commissioner J. Seigel (IN) seconded. Agenda approved as written.

Minutes
Commissioner C. Gibson-Beltz (NE) moved to approve the minutes from February 12, 2013. Commissioner K. Winckler (TX) seconded. Minutes approved as written.

Discussion
Rules Committee Report: Commissioner J. Seigel (IN) informed the Committee that the Rules Committee had a productive face-to-face meeting on February 20-21, 2013 in Indianapolis, IN. The Rules Committee reviewed the amendments submitted by standing committees and drafted a few alternative proposals.

Commissioner J. Seigel (IN) suggested the regions meet before May 3rd to review the alternative proposals. The Rules Committee members will attend regions meetings to ask the regions to reconsider or withdraw the original proposals.

Training Committee Report: Commissioner D. Ege (AZ) presented her report to the Committee:

Training Committee News
- Next Meeting – First week of April 2013
- Vice-Chair Vacancy
- Planning for Offender Violation Report Training & Annual Business Meeting Training
- R. Masters will present at the Arkansas Prosecutor Training in April 2013.
- Annual Business Meeting Training will be concentrated on rule proposals

Training Stats
- On demand-Last 30 days
  - Over 130 unique attendees
- General Rule
  - February 13th (63 attendees)
- Mini-Trainings
  - Eligibility for Transfer & Reporting Instructions February 14th (49 attendees)
  - Significant Violations February 26th (53 attendees)
  - Violent Offenders/Absconders February 27th (84 attendees)
  - Probable Cause Hearing February 28th (47 attendees)

Upcoming Trainings
- General Rule
  - March 20th & April 16th
• Mini-Trainings –Eligibility for Transfer & Reporting Instructions, Significant Violations, Violent Offenders/Absconders & PC Hearings
  o March 21st, 26th, 27th & 28th; April 17th, 23rd, 24th & 25th

**DCA Committee meeting:** Commissioner K. Madris (NV) stated that the Committee will meet on April 25, 2013.

**Technology Committee Report:** Commissioner K. Winckler (TX) presented her report to the Committee:

• **Meeting**
  o Technology Committee met on March 6, 2013

• **ICOTS Help Desk**
  o 144 tickets were created in February 2013, a 25% decrease from January 2013
  o 11 known ICOTS issues are documented in the Knowledge Base

• **Public Web Portal** had 981 clicks in February 2013, a 29% decrease from January 2013.

• **ICAOS Website**
  o All website visits:
    • February 2013: Over 30,000
      • Down 7% from January 2013
  o Mobile visits:
    • February 2013: Over 1,700
      • Unchanged from January 2013
      • Accounted for 5.8% of all website traffic

• **Victim Notification Project**
  o Executive Director H. Hageman met with Appriss to discuss the Victims Notification Project.

• **Violation Report Enhancement ICOTS Release**
  o On schedule to be implemented late Spring, early Summer.

**Compliance Committee Report:** The Compliance Committee has not met since the last Executive Committee meeting.

**Finance Committee Report:** Commissioner C. Lauterbach (IA) stated that the Commission is in good financial health. As of January the Commission is 5.2% under budget.

**Executive Committee Report:** Commissioner M. Gilliam (OK) reminded the Committee members to complete the Executive Director’s evaluation form via email.

**Region Reports:**
East Region: The East Region will meet the week of April 22.

South Region: The South Region will meet on April 18, 2013.

Midwest Region: The Midwest Region will meet on April 10, 2013.

Executive Director Report
Executive Director H. Hageman presented his report to the Committee:

Commissioners Changes/Vacancies
      Alaska       Received the appointment letter for Carrie Belden
      California   No new information (vacant since 11/12)
      Kansas       in the process of interviewing candidates (vacant since 1/13)
      Tennessee    Bobby Straughter, Assistant Commissioner of Community Corrections is
                     G. Tullock’s replacement. The National Office has not received his
                     commissioner appointment letter.

Complaints/Conflict Resolution
      WA vs. KS     Retaking issue
      NY vs. CO     A compact eligible offender travelled to NY outside the Compact turned
                     out to be an absconder. Raise a question about municipal court offenders.
      CA            CA received the default letter last Friday

State Councils
      VI            Executive Director H. Hageman emailed VI Governor’s attorney
                     requesting an update on appointments to their State Council. Mr. Tammara
                     replied stating that they are seeking an amendment to the current
                     legislation to remove the requirement that each of the Governor’s
                     nominees must appear before the Legislature, which has presented an
                     obstacle to making appointments. They expect it to pass the legislation
                     later this month.

      CA and AK     States have not complied with the policy to provide a State Council update
                     after repeated reminders

Other
      The NV legislature is considering legislation to move parole supervision from the
      Department of Public Safety to the Department of Corrections. The national office met
      with NV compact office and reviewed its options for bifurcated v. non-bifurcated
      compact office.

      The national office completed February compliance audits for PA, SC, TX and WV.
      March audits include NH, MI, UT and VA.

      Executive Director H. Hageman contacted the National Extradition Officers Association
      and they expressed an interest in ICAOS workshops at their annual conferences starting
next year. H. Hageman will attend the June conference in Annapolis, MD to meet with the officers of the organization.

National office will send invoices for the annual dues on April 15, 2013. No increase in dues for any of the states or territories.

The national office changed email and document storage vendors. We are receiving the same service, but at half the price.

The national office is meeting the N-DEx staff on March 20, 2013.

Council of State Governments is in the process of updating the state profile page on the ICAOS website.

Legal Counsel Report: Legal Counsel R. Masters explained the details of the CO vs. NY issue. It appears that the case is not a Compact case. However, a bigger issue came from this case - whether municipal courts are subject to Compact Rules.

Legal Counsel R. Masters presented WA vs. KS issue to the Committee. The Committee discussed whether Kansas is in non-compliance for failure to re-take, if it is, the actions that need to be taken. The Committee also discussed the issues of when an offender becomes an ICAOS case and the impact ICAOS Rules have on any subsequent judicial/parole board action regarding that offender in the sending state.

Commissioner K. Winckler (TX) moved to refer the WA vs. KS issue to the Compliance Committee for investigation. Commissioner J. Seigel (IN) seconded. Motion passed.

Legal Counsel R. Masters met with CSG auditors to discuss the Compact’s tax exempt issue. They agree that ICAOS should not be filing the 990 form for the purpose of reporting the tax status by taxed exempt entities that are exempt under section 501(c)(3) of the Internal Revenue Code. ICAOS is tax exempt because it is a government instrumentality created by statute and not because it is a non-profit organization. As a result, some of the purchases process (tax –exempt status) should be reexamined. ICAOS should file the final 990 return indicating why it is not going to file these forms in the future.

Commissioner C. Norman (AL) moved to authorize the Council of State Governments accounting department to file the final 990 form. Commissioner C. Gibson-Beltz (NE) seconded. Motion passed.

Legal Counsel R. Masters sent a letter to CA Governor and the Director of DOC stating CA failure to comply with the rules of the Compact and requesting California to put together a specific plan of action. Failure to comply with the notice requests will result with actions such as taking this case to federal court.
Spring Executive Committee Agenda: Commissioner M. Gilliam (OK) asked the Committee members to email him any agenda items they wish to discuss at the upcoming face-to-face meeting. The Committee decided to include the following items to the agenda:

- 2013 ABM agenda
  - Panel ideas (possibly prosecutors)
- FY15 budget
- Evaluations
- Audit results and audit strategy for the upcoming year
- DCA mentoring program

The Committee will finalize the May agenda at its next meeting.

Adjourn
Commissioner K. Winckler (TX) moved to adjourn. Commissioner C. Norman (AL) seconded.

The meeting adjourned at 3:04 pm ET.