Interstate Commission for Adult Offender Supervision
Executive Committee Meeting Minutes
March 18, 2014

Broadway A Room, Third Floor
The Brown Hotel
335 West Broadway
Louisville, Kentucky, 40202

Members in Attendance:
1. Milt Gilliam  Chairman, OK
2. Sara Andrews  Vice-Chair, OH
3. Charlie Lauterbach  Treasurer, IA
4. Chris Norman  AL
5. Cathy Gibson-Beltz  NE
6. Mike McAlister  NH
7. Chris Moore  GA
8. Jane Seigel  IN
9. Dori Ege  AZ
10. Anne Precythe  NC
11. Pat Tuthill  Ex-Officio, FL
12. Rick Masters  Legal Counsel

Members not in Attendance:
1. Michael Potteiger  PA
2. Ed Gonzales  NM

Staff:
1. Harry Hageman
2. Sam Razor
3. Barno Saturday
4. Mindy Spring
5. Kevin Terry
6. Xavier Donnelly

Call to Order
Chairman M. Gilliam (OK) called the meeting to order at 8:04 am ET. Ten voting members were present, establishing the quorum.

Chairman M. Gilliam (OK) thanked the Committee members and the national office staff for their hard work and perseverance.

**Agenda**
Commissioner J. Seigel (IN) moved to approve the agenda. Commissioner S. Andrews (OH) seconded. Agenda approved as presented.

**Minutes**
Commissioner M. McAlister (NH) moved to approve the minutes from February 11, 2014. Commissioner A. Precythe (NC) seconded. Minutes approved as written.

**Discussion**
*Rules Committee Report:* Commissioner J. Seigel (IN) stated that the Rules Committee has a new member – Commissioner Dawn Sides (WY). The Rules Committee will be looking into proposals that did not pass at the last ABM meeting and retaking rules issues. The Rules Committee approved its annual calendar.

*Training Committee Report:* Commissioner D. Ege (AZ) stated that the Training Committee will be working on training bulletins surrounding violation reports and 3.107 and 5.101-1.

Per Commissioner C. Lauterbach’s request, the Training Committee members along with the national office staff will provide six on site trainings in different locations in Iowa. Iowa Department of Corrections will reimburse trainers’ expenses.

The Training Committee will be meeting in the upcoming month to discuss the ABM Workgroup recommendations regarding the 2014 Annual Business Meeting.

*DCA Liaison Committee Report:* Commissioner C. Moore (GA) indicated that the DCA Liaison Committee had quorum at its meeting on February 20, 2014. The Committee discussed the following items:
- Violation reports
- Addendum to violation reports
- Not filing/requesting warrants when the offenders is not available for retaking
- Inquiring at the DCA region meetings what other compact problems states encounter
- Tolling and its impact on the Compact
- Legal definition of the suspended sentence
- Retaking and liability white papers
- AO 1-2014
- VINE Watch, its forum, trainings, and implementation by different states
- Surveys on federal reservations and border issues
- Mentoring program for new DCAs

Approved on 4/8/2014. B.S.
Technology Committee Report: Commissioner A. Precythe (NC) presented her report to the Committee:

- **ICOTS Help Desk**
  - 266 tickets were created in January 2014, almost identical to December 2013
  - 174 tickets were created in February 2014, a 34% decrease from January 2014

- **ICAOS Website**
  - All website visits:
    - January 2014: Over 44,200
      - Up 28% from December 2013
    - February 2014: Over 37,400
      - Down 15% from January 2014
  - Mobile visits:
    - January 2014: Over 7,200
      - Up 24.1% from December 2014
      - Accounted for 16% of all website traffic
    - February 2014: Over 6,400
      - Down 11.1% from January 2014
      - Accounted for 17% of all website traffic

- **Performance Dashboards**
  - Project launched on Friday January 31, 2014
  - Allows summary view of compliance standards and detailed view of each standard along different date ranges
  - Feedback from Commissioners and DCAs has been positive

The Committee discussed if the results of the compliance dashboard should be shared among states.

Commissioner A. Precythe (NC) will bring this issue up for the discussion during her report at the upcoming Annual Business Meeting.

- **Server Migration**
  - Web and database servers were migrated to their new platform on Monday February 24, 2014
  - New hosting environment is faster, more secure, and much more scalable

- **Rule Amendment Release**
  - The new release was pushed to production on Wednesday February 26, 2014
  - Several bugs were reported with compact activity PDFs
    - Appriss resolved most of these issues within 24 hours
    - Still working to confirm a couple minor PDF issues reported since the initial bugs were addressed

Approved on 4/8/2014. B.S.
• FBI NDex Data Sharing
  o NDex will be installing some software on our new database server to transfer some case information to their servers

• ICOTS Enhancement List

The Executive Committee reviewed the Enhancement list presented by Commissioner A. Precythe (NC). The recommendation reflected the feedback from the Technology Committee and data gathered from the ICOTS Helpdesk. The following suggestions consolidate the Committee’s priorities into feasible releases that will provide the most benefit to the most users.

1. Activity Grouping and Compact Action Request (CAR) Association
Compact action requests have proven to be critical tool for states to communicate and document compact cases. However, the profusion of their use (2,215,524 CARs/CAR Replies as 3/10/2014) has created its own obstacles. These changes seek to empower the compact office and clarify the use and display of CARs/CAR Replies.
  • **Enhancement ID (8)** Group all activity replies and associated CARs with activities on the Compact Cases table within the offender profile screen (This includes Transfer Request/Replies, Violation Reports/Violation Responses/Associated Addendums, etc.)
  • **Enhancement ID (27)** ISC Staff ability to submit CARs without reassignment
  • **Enhancement ID (NA 2014-01)** For Requested Progress Reports change activity history to reflect “created by specialized CAR” rather than “sending state PO”
  • **Enhancement ID (NA 2014-02), (13), (14) & (ER 2010-13)**
    o Remove specialization for “conduct PC hearing” and “Disposition” (OVR process handles these)
    o Add ability to link CAR to activity
    - *Although not directly addressed, this will allow users to provide attachments for activities which currently do not have attachment capabilities. Enhancement IDs: (6), (7), (10443) & (10538)*
    o Add text to direct users to use addendum for OVR correspondence

2. NOD/NOA New Functionality (703,341 NODs/NOAs as of 3/10/2014)
Increasing the information on the Notice of Departure and Notice of Arrival improves the awareness of the offender’s location and increases officer’s ability to take timely action.
  • **Enhancement ID (NA 2014-06)** Capture intended departure date on the RFRI or TR and add date to NOD report
  • **Enhancement ID (NA 2014-05)** Add release date to NOD report
  • **Enhancement ID (ER 2010-03)** Indicate “Failure to Report” on NOA notifications
  • **Enhancement ID (43)** automatically create pending NOD on compact workload
  • **Enhancement ID (44)** automatically create pending NOA on compact workload
  • NEW Failed to Report do not automatically change supervising state to receiving state-allow for subsequent NOD/NOA

Approved on 4/8/2014. B.S.
3. **Duplicate Offender Matters (50,396 activities as of 3/10/2014)**
Creating, identifying, reporting and resolving duplicate or orphaned offender records negatively impact productivity from the field to the National Office. This can be dramatically reduced through some straight-forward changes and will resources to focus on more public-safety orientated tasks.

- **Enhancement ID (1)** Add restrictions to prevent duplicate offenders
- **Enhancement ID (NA 2014-04)** Add “pending moves” indicator to duplicate offender report in ICOTS

Commissioner D. Ege (AZ) inquired about an enhancement on notice of arrival and notice of departure email notification that she submitted a few years ago.

**Commissioner A. Precythe (NC) moved to approve ICOTS enhancements as presented and proceed with requesting a quote from Appriss. Commissioner C. Moore (GA) seconded. Motion passed.**

*Compliance Committee:* Commissioner M. McAlister (NH) sent out a memo to the Committee members advising about California situation and Kansas compliance progress status.

*Finance Committee Report:* Commissioner C. Lauterbach (IA) stated that the Commission is about 1% over the budget for FY2014.

Commissioner C. Lauterbach (IA) stated that due to increased spending, in 5-6 years the Commission will need to raise its dues. The spending has increased as a result of the following:
- ICOTS VINEWatch $43,000/year
- Dashboard - $24,000
- ABM spending- $50,000 - $70,000 change in annual average
- Additional face-to-face meetings – approximately $13,000 each meeting (2 this year) - $26,000
- CSG Indirect Cost (10%)

Commissioner S. Andrews (OH) inquired about the most economical location for a face-to-face meeting.

**Commissioner C. Lauterbach (IA) moved to adopt FY2016 budget. Commissioner C. Norman (AL) seconded. Motion passed unanimously.**

**Region Reports:**

*South Region:* The South Region met on January 16, 2014. The next meeting is scheduled for April 16, 2014.

*West Region:* Executive Director H. Hageman informed the Region that Commissioner E. Gonzales (NM) is moving to another position.

The Committee decided to ask vice-chair J. Stromberg (OR) to call for a special meeting to elect the chair for the West Region.

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**Midwest Region:** Commissioner C. Gibson-Beltz (NE) informed the Committee about the federal detainer and Rule 3.102 (d) & 3.107 debate that took place at the last Midwest Region meeting. She asked the Executive Committee to consider the rule change this Annual Business Meeting.

After discussing the issue, the Committee agreed that it is not a rule issue. Rules Committee chair, training committee chair, legal counsel, and Commissioner M. Buscher (IL) will discuss the issue to determine further necessary actions.

**Victims’ Advocate Report:** Victims’ Advocate P. Tuthill presented her report to the Committee:

**ICOTS VINEWatch**
- 18 states have requested ID access to register victims as of 3/14/14
  - AR, DE, GA, KS, MN, MS, MT, NE, NJ(parole); NJ(probation), NC, OH, SC, SD, TN, TX, VT, VA, WY
- With national office presented webinar to National Criminal Justice Association - 55 participants representing the following states:
  - AZ, CA, CO, DC, FL, ID, IN, KY, LA, MI, MN, MS, MO, MT, NC, NE, NV, NJ, NY, NM, NC, OH, OR, PA, SC, SD, TN, TX, VA, WA, WI and Ontario.
- Email sent through national office to victim representatives and commissioners requesting status of state plans for implementation and to determine if there is need for assistance or recommendations.

**Victim Notification Rules Amendment and Other Rules**
- Working on amendments to Rules 3.108 and 3.108-1to present at the upcoming Rules Committee meeting
- Reviewing rules to include victim notification language (in a victim sensitive case, the sending state shall not provide reporting instructions until the victim notification provisions of Rule 3.108(b)(1)(C) have been followed.)

**Victim Outreach Presentations**
- Plan to attend APPA 2014 Victim Issues Committee Meeting
- Tentative plans to present at 2015 National Assistant Victim Services Professionals, Corrections conference

**Legal Counsel Report:** Legal Counsel R. Masters presented his report to the Committee. The State of Kansas is on track with its Correction Actions Plan. Its next report is due in April 2014.

**Commissioner M. McAlister (NH) moved to go into executive session to discuss California’s default matter. Commissioner C. Norman (AL) seconded. Motion approved.**

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Commissioner C. Gibson-Beltz (NE) moved to exit the executive session. Commissioner C. Norman (AL) seconded. Motion passed.

Commissioner M. McAlister (NH) moved for Legal Counsel to contact Puerto Rico commissioner for the possibility to add the interest due from FY2014 to the FY2015 invoice. Commissioner C. Gibson-Beltz (NE) seconded. Motion passed unanimously.

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

*Complaints*
- The dispute between MN and AK resolved itself when AK agreed to accept the MN’s offender.
- ND requested a dispute resolution with GA regarding a failure to retake.

*Compliance Audits*
- The national office completed the compliance audits for CT, AK, and PR.
- The MD compliance audit was postponed due to inclement weather.

The Committee reviewed history of the compliance audit and the FY2014 results.

- The national office presented the FY2015 compliance audit proposal:
  - Audit all 53 states subject to a random audit.
  - 13 Standards
    - 3 New Standards
    - Use Dashboard Reports for 5 standards

The Committee discussed leaving the compliance audit passing threshold at 80%.

The Committee agreed the compliance audit and dashboard should be calculated based on the same timeframe. The national office will change the setting of the dashboard to be calculated based on a user provided date range.

The Committee discussed number of standards needed to pass for audit to be satisfactory and correction action plan as consequences for failed audit. States that have violations on more than 2 rules and 3 total standards will be re-audited.

Commissioner M. McAlister (NH) moved to approve the national office proposal for FY2015 Compliance Audit, which will audit all states on 13 standards. Commissioner A. Precythe (NC) seconded. Motion passed unanimously.

*Technology*
- X. Donnelly and K. Terry moved the Commission server to the Amazon Web Services with no down time. Since the move the website performs noticeably faster.

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As a result of this project the Commission’s entire IT Infrastructure is now operating in and backed up to the Cloud. The significance of cloud based infrastructure is that it is secure and protected in ways that cannot be accomplished locally without significant expense in hardware and people.

- H. Hageman spoke with Commissioner Ware (DC) about their interest in building a connector to ICOTS. Because of the associated cost of the project, as of right now, Washington D.C. is not moving forward with this project.

- EBook - Bench book is now available

**Other**

- FY 2015 Project Recommendations
- Collecting state council’s information
- Completed performance reviews for the staff
- Surveys – Border Issues, Indian Reservations and Tolling
- Sam is starting on the layout for the annual report. If you have any suggestions for design changes, please let us know.

**Old Business**

*Ad Hoc on Border Issues:* Commissioner S. Andrews (OH) stated that Ad Hoc Committee on Border Issues met and had productive meeting in Columbus, OH. After a long discussion, the ad hoc committee came to a conclusion that there may be no solution for this issue. The ad hoc committee will meet again in April to put together a final report without rule recommendation.

*ABM Workgroup:* Commissioner S. Andrews (OH) informed the Committee that seventeen people attended the meeting and presented discussion topics of the ABM Workgroup meeting:

- Vice chair in charge of the ABM Preparation workgroup
- Commissioner from host state to be a co-chair
- Assign a region to make location recommendation: 2016-Midwest; 2017-East; 2018-South; 2019-West
- Training should focus on practical application of ICAOS rules - smaller group table top discussions
- How Interstate Compact impacts issues:
  - Example: Reentry, reinvestment
- How long should formal meeting be (with Roberts Rules of Order)?
  - ½ day
  - Full day

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• The needs of the Business Meeting
• New commissioners training ½ day
  o lack of interactions
  o Alternative to Harry trips to new commissioners
  o Lunch for new commissioners – got good feedback
• Before the ABM - Refresh course of RRO to prepare for the general session
• Different set up at the ABM, possibly to include tables for DCAs
• ABM – include examples at the discussion (for ex. Retaking)
• Involve DCAs at the business meeting’s discussion
• Implement ways to involve other commissioners in the debates
• Make the business meeting more interactive
• Discussed having a face-to-face region meetings besides the ABM
• Identifying the emerging trends
• Possibility to change the business meeting to a ½ day
• Oklahoma City – additional day for DCAs (Monday)
• During the non-rules year to discuss the application of Rules
• Meetings – more structured and specific
• DCAs should decide on the DCA training topics at the ABM
• Importance of the Commissioner Training
• Recognition sessions - Identify states doing well/Learn how other states operate. Five or six states will cover different topics to discuss their operations; highlight best practices
• Trivia/Jeopardy/team building activities
• importance of networking at the ABM
• Motion to exclude panels and their discussion from the business meeting’s agenda by Commissioner J. Stromberg (OR) and Commissioner D. Crook (VT).

**Topic Ideas**
• Jail crowding
• Legalization of marijuana in CO & WA
• When to issue warrants
• Application of Rules
• Complaint Process/ CAP
• Legalization (CO, WA, neighboring states in West)
  o Impact on incoming transfers
  o Explanation of law and application
  o Sanctions for violations/behavior
  o Technical violation versus new crime
  o How does it change supervision
• Justice Reinvestment (OR, OH, KS, VT, SC)
  o How does it affect supervision

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- Jail time (sanction) versus revocation
- Affect parole board decisions?
- Funding issues
  - Tribal Issues (ND, SD, CO, NM, AZ, UT)
    - Offenders who live on tribal land
    - Public law 280 state? (WI, CA, MN, NE, OR)
    - Are compact cases handled differently
    - How do you supervise own offenders who live on tribal land
    - Any agreements/best practices
- Discretionary Cases
- Violations
- Reentry
  - Best practices with Interstate Compact Cases
  - Address needs of offenders
  - Assessment Tools
  - Examples of good discretionary cases

DCAs Training Ideas
- Dashboard
- ICOTS reports
- New DCA training (resolving issues, accessing tools), bring solutions from Monday discussion
- Use forms from 2012 (add best practice) send out for comment
- DCAs/Region meetings: identify state patterns, trends, and issues to report out at Business meeting

Commissioner Training Ideas
- 2 hrs on Tuesday before region meetings, followed by lunch for commissioners only
  - Liabilities
  - Role and responsibilities: incorporate interstate compact into daily activities
  - Complaint process
    - Show examples: how was the complaint dealt with, what should be in corrective action plan
  - State Council
  - Make up of Executive committee

The workgroup will send its recommendation to the Training and DCA Liaison Committees to develop training curriculum. The workgroup will continue to work on general session agenda/schedule (Wednesday).

Personnel & Executive Director Performance Review:

Commissioner J. Seigel (IN) moved to go into executive session to discuss personnel matters. Commissioner D. Ege (AZ) seconded. Motion passed.
Commissioner J. Seigel (IN) moved to exit the executive session. Commissioner D. Ege (AZ) seconded. Motion passed.

Commissioner M. McAlister (NH) moved to defer the Executive Director’s performance review to the next Executive Committee meeting. Commissioner C. Gibson-Beltz (NE) seconded. Motion passed unanimously.

Commissioner M. McAlister (NH) moved to approve a 2% COLA increase in the salary schedule for all national office staff including the Executive Director. Commissioner A. Precythe (NC) seconded. Motion passed unanimously.

Commissioner D. Ege (AZ) brought up the issue of survey’s request and structure. The national office will put together a policy that will address these issues.

The Committee discussed sanction grids/matrix in different states. The national office will collect and post sanction matrix on each state’s page on the Commission’s website.

Adjourn
Commissioner A. Precythe (NC) moved to adjourn. Commissioner C. Moore (GA) seconded.

The meeting adjourned at 1:59 pm ET.