Interstate Commission for Adult Offender Supervision
Executive Committee Meeting Minutes
8:00 am EDT
May 25, 2011
Marriott Griffin Gate Hotel, Lexington, KY

Members in Attendance:
1. Milt Gilliam  Chairman, OK
2. Wayne Theriault  Vice-Chair, ME
3. Charlie Lauterbach  Treasurer, IA
4. Kathie Winckler  TX
5. Sara Andrews  OH
6. Chris Norman  AL
7. Mike McAlister  NH
8. Dori Ege  AZ
9. Ben Martinez  PA
10. William Rankin  WI
11. Pat Tuthill  Ex-Officio, FL

Members not in Attendance
1. Ed Gonzales  NM
2. Ken Merz  Ex-Officio, MN

Staff:
1. Harry Hageman
2. Rick Masters  Legal Counsel
3. Sam Razor
4. Barno Saturday
5. Kevin Terry
6. Mindy Spring
7. Xavier Donnelly
Call to Order
Chairman M. Gilliam (OK) called the meeting to order at 8:08 am EDT. Ten voting members were present, establishing the quorum.

Agenda
Commissioner D. Ege (AZ) made a motion to adopt the agenda. Commissioner W. Theriault (ME) seconded. Motion passed.

Minutes
Commissioner W. Theriault (ME) made a motion to approve the minutes from April 12, 2011. Commissioner M. McAlister (NH) seconded. Motion passed.

Opening Remarks
Chairman M. Gilliam expressed his appreciation for Commissioner W. Rankin’s work as the Rules Committee Chair. Commissioner W. Rankin retires on June 3, 2011.

Chairman M. Gilliam invited the Committee and Region Chairs to present any essential issues from their reports at that time.

Rules Committee: Rules Committee Chair W. Rankin informed the Committee that the Rules Committee did not have sufficient funds for the second face-to-face meeting. The Rules Committee members prefer to meet in Denver, CO instead of Lexington, KY that will cost the Commission about $1,000 more, but will require less valuable travel time for the majority of the committee members.

Commissioner W. Rankin (WI) moved to approve the Rules Committee meeting in Denver, CO and allow sufficient funds to be transferred to the Rules Committee budget to cover the cost of this meeting. Commissioner D. Ege (AZ) seconded. Motion passed.

East Region: Commissioner B. Martinez informed the Committee that during the last East Region’s meeting, the members voted to withdraw the Complete Transfer proposal.

Technology Committee: Commissioner K. Winckler presented her report in a bullet point format and inquired whether this format works better for the Committee than the Power Point format. The Committee preferred the bullet point format of the report.

DCA Liaison Committee: Commissioner W. Theriault informed the Committee that the DCA Liaison Committee met in May 2011. The agenda that originally consisted of 19 items was reduced to two items – DCA Training Institute and ABM trainings for DCAs. The rest of the items will be discussed at the upcoming meetings.

Executive Director Report
Executive Director H. Hageman presented a list of the National Office’s accomplishments.

  * FY2011
    * Actual expense is estimated to be $100,000 under budget
- The reduction in actual expenses is the result of not filling a staff vacancy, reduced staff travel and additional revenue generated from ICJ.

- FY 2012
  - Actual expenses are estimated to be $60,000 under budget
  - The savings is a result of the office move and lower indirect cost by CSG
  - The net surplus as of 04/01/2011 is $627,210

- Projects Completed
  - Update publications to include the ICAOS Bench Book, ICAOS Rules, training materials, Commissioner Handbook, and Annual Report
  - Created a database to track incident reports and motions.
  - Introduced and completed the first annual compliance audit
  - Created a HTML version of the ICAOS rules
  - Created a Spanish version of the ICAOS rules
  - Applied for and received CLE accreditation in 14 states
  - Provided technical training assistance to six states
  - Organized and hosted first DCA training institute
  - Received two DOJ funded consulting engagements (SEARCH)
  - Negotiated a one year hosting and maintenance contract with Appriss at current cost
  - Completed a technical review of ICOTS with the assistance of SEARCH
  - Transitioned helpdesk from Appriss to ICAOS
  - Released five updates to ICOTS
  - Increased the number of ICOTS external reports from 15 to 20
  - Initiated a pilot data exchange with the NY Fusion Center

Old Business
ICAOS Charging Interest on Default Annual Dues: Legal Counsel R. Masters stated that he needs a rule or an administrative policy in effect to have enforcement actions at court to demand the interest on default annual dues.

Commissioner W. Theriault (ME) moved for Legal Counsel to make appropriate language changes to the Dues Administrative Policy to include interest charges for late dues payments and bring the amended policy back to the Executive Committee for review. Commissioner C. Norman (AL) seconded. Motion passed.

Legal Counselor Report: Legal Counselor R. Master presented his report to the Committee.

Commissioner K. Winckler (TX) made a motion to move to the Executive Session. Commissioner C. Norman (AL) seconded. Motion passed.

Commissioner W. Theriault (ME) made a motion to move out of the Executive Session. Commissioner K. Winckler (TX) seconded. Motion passed.
Legal Counsel R. Masters informed the Committee about D.C. district court’s case concerning ICAOS and recommended to intervene before the case takes a different direction than the Commission plans to have.

**Commissioner D. Ege (AZ) made a motion to approve the appropriate legal participation in D.C. case as described by Legal Counsel. Commissioner B. Martinez (PA) seconded. Motion passed.**

Legal Counsel stated that the White Compact Compliance Paper was near completion.

**New Business**

*Ad Hoc Dues Committee Report:* The Committee discussed a possibility of charging offenders application fee to cover states’ annual dues and retaking fees. According to the Statute, the Commission cannot directly charge individual offenders and needs to receive the application fees from states.

Executive Director H. Hageman suggested creating a survey to find out states’ opinion on this matter. Chairman M. Gilliam urged the Committee members to think about the issue and continue the discussion at its next meeting.

*Vacant Commissioner Positions:* Commissioner M. McAlister informed the Committee that the Virgin Islands, Virginia and Hawaii did not have an appointed commissioner. Hawaii and Virginia have contacted the National Office stating that they were in the process of appointing their commissioners. The Virgin Islands vacancy is becoming problematic. The National Office has attempted to resolve the issue without success. Commissioner M. McAlister informed the Committee that all formal lower steps in resolving this issue were taken.

**Commissioner M. McAlister (NH) made a motion to find the Virgin Islands in default with obligation to appoint a commissioner and to authorize Legal Counsel to send a letter to the Governor of the Virgin Islands in regards to the obligation to appoint a commissioner. Commissioner W. Rankin (WI) seconded. Motion passed unanimously.**

*State Compliance Audits:* The Committee reviewed Compliance Audit summary by standard and category prepared by the National Office.

The Committee discussed the Compliance Audit results and its use for the next year. Executive Director H. Hageman stated that if the Committee prefers to perform a full audit next year, it would be necessary to hire an additional staff.

**Commissioner M. McAlister (NH) moved for the Compliance Committee to recommend to the Executive Committee that the FY 2012 Compliance Audit focuses on those states that had the finding of 5 or more cases in category C in the prior year’s audit. Commissioner W. Theriault (ME) seconded. Motion carried by vote 9 to one.**

Commissioner W. Rankin urged the committee to conduct full audit for a second year.
The Committee decided to give an option for pilot states to have their audit redone. Wisconsin as a pilot state, expressed its desire to have its audit redone.

**Incident Reports:** The Committee discussed GA incident reports submitted by PA, CT and AZ.

**Commissioner M. McAlister (NH) made a motion to find Georgia in default and authorize Legal Counsel to send a letter that any additional violations similar to those reported by AZ, CT and PA will result in legal action and to require GA to submit a detailed corrective action plan within 60 days, to be approved by the Compliance Committee. Commissioner B. Martinez (PA) seconded. Motion passed unanimously.

The Committee discussed CA incident reports submitted by OK.

**Commissioner M. McAlister (NH) made a motion to find California in default and authorize Legal Counsel to send California a letter warning them that any additional violations similar to those reported by Oklahoma will result in legal action and to require California to submit a detailed corrective action plan within 60 days, to be approved by the Compliance Committee. Commissioner C. Norman (AL) seconded. Motion passed unanimously.**

**Ad Hoc on Risk Assessment Report:** Commissioner S. Andrews stated that the Ad Hoc Committee met on April 19, 2011 to discuss risk assessment tools and processes used in their state. It decided to send a survey to gather additional information about risk assessment tools used in other member states.

The Executive Committee approved a face-to-face meeting for the Ad Hoc on Risk Assessment Committee.

**ABM 2011 Agenda:** After discussion, the Committee made changes to the agenda for the upcoming Annual Business Meeting in Montgomery, AL.

Legal Counsel R. Masters informed the Committee that R. Maccarone would probably bring up the Complete Transfer proposal during the New Business.

**ABM 2012 Site Selection:** Assistant Director S. Razor stated that the National Office visited Madison, WI that was previously chosen by the Executive Committee as the preferred location for the ABM 2012 and concluded that Madison would accommodate Commission’s needs.

**Commissioner W. Rankin (WI) made a motion to choose Madison, Wisconsin as 2012 Annual Business Meeting location. Commissioner K. Winckler (TX) seconded. Motion passed unanimously.**

**FY 2013 Budget Recommendation:** The Committee reviewed proposed FY2013 budget. Commissioner W. Rankin requested to change the Rules Committee budget from $7,500 to $15,000 in FY2012 and $20,000 in FY2013.
The Committee decided to move $2,500 from the Technology and $2,500 from the DCA Liaison Committees to the Rules Committee budget for FY2012.

The Committee discussed the indirect cost paid to CSG and the benefit of being an affiliate of CSG.

**Commissioner W. Rankin (WI) made a motion to recommend FY2013 budget as amended to the full Commission at the 2011 Annual Business Meeting. Commissioner W. Theriault (ME) seconded. Motion passed unanimously.**

*Personnel:* The Committee decided to enter the Executive Session to discuss personnel matter.

**Commissioner K. Winckler (TX) made a motion to move to the Executive Session for the discussion of personnel matters. Commissioner D. Ege (AZ) seconded. Motion passed.**

**Commissioner M. McAlister (NH) made a motion to move out of the Executive Session. Commissioner W. Theriault (ME) seconded. Motion passed.**

**Commissioner K. Winckler (TX) made a motion to provide all National Office staff with 2.5% cost of living pay adjustment. Commissioner W. Rankin (WI) seconded. Motion passed with one opposed vote.**

**Planning Session**

*The Committee discussed its plans for the upcoming years. The Committee decided to make more efforts to reach for new commissioners and involve them in the Commission’s operation.*

*The Committee reviewed commissioners’ attendance of the region and committee meetings.*

*The Committee decided to have commissioners signed up for a committee of their choice during the ABM 2011 website registration.*

**Commissioner W. Theriault suggested looking into joint ICAOS and ICJ work in the next five years.**

**Executive Director H. Hageman suggested comprehensive review of Bylaws.**

*The Committee reviewed the National Office goals for the upcoming years.*

**Adjourn**

**Commissioner W. Theriault (ME) moved to adjourn. Commissioner M. McAlister (NH) seconded. Motion passed.** The meeting adjourned at 5:09 pm EDT.