Interstate Commission for Adult Offender Supervision
Executive Committee Meeting Minutes
1:00 p.m. PST
November 2, 2009
Grand Sierra Hotel, Reno, NV

Members in Attendance:
1. Ken Merz   Chairman, MN
2. Milt Gilliam  Vice-Chair, OK
3. Kevin Kempf  Treasurer, ID
4. Linda Janes   OH
5. Dori Ege     AZ
6. William Rankin WI
7. Kathie Winckler TX
8. Gary Tullock   TN
9. Warren Emmer ND
10. Mike McAlister NH
11. Ed Gonzales  NM
12. Wayne Theriault ME

Members not in Attendance
1. Pat Tuthill   Ex-Officio, FL

Guests
1. Pamela Bunke MT
2. Ashley Lippert KY

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 K. Merz (MN) called the meeting to order at 1:04 pm PST. Twelve out of 12 voting members were present establishing a quorum.

**Agenda**
Chairman K. Merz (MN) added a *P. Tuthill request* item under the New Business. Commissioner G. Tullock (TN) made a motion to approve the agenda as amended. Commissioner K. Winckler (TX) seconded. The agenda was approved as amended.

**Minutes**
Commissioner W. Theriault (ME) made a motion to approve the minutes from October 13, 2009. Commissioner G. Tullock (TN) requested to change word *circus* to *circuit* on p. 5. Commissioner M. Gilliam (OK) seconded. The minutes were approved as amended.

**Committee Reports**
*Rules Committee:* Commissioner W. Rankin (WI) will chair the Public Hearing that would take place at 5:00 pm at Shasta room, Grand Sierra Hotel.

Commissioner D. Ege (AZ) will read P. Tuthill’s comments on the proposed rule amendments at the Public Hearing.

*Training Committee:* Commissioner D. Ege (AZ) informed the Committee that the Training Committee met on Monday, November 2 to finalize the In-service training details.

The Committee reviewed the Commissioner Training PowerPoint presentation. All committee chairs will be part of the panel discussion that will take place after lunch.

*Technology Committee:* Commissioner K. Winckler (TX) informed the Committee that Appriss representatives, C. Kahoe and B. Oldham, would attend the ICOTS In-service Training on November 3 and the Business Meeting on November 4 to answer all potential questions.

*Compliance Committee Report:* Commissioner M. McAlister (NH) informed the Committee that the Compliance Committee met on October 21, 2009 to discuss submitted incident reports. All incident reports were resolved on local levels and were not officially referred to the Committee. At its next meeting, the Compliance Committee will review the Audit Standards Policy and the states status on delinquent dues.

Commissioner W. Rankin (WI) requested quarterly reports on the filed incident reports be prepared by the national office and distributed to the Executive Committee.

Commissioner D. Ege (AZ) suggested going over the incident report procedures at the DCA Meeting.

Chairman K. Merz (MN) suggested the region chairs covering the details of the KS-MO incident at their region meetings without mentioning the involved states.
Finance Report: Commissioner K. Kempf (ID) informed the Committee that the Finance Committee has not met since the last Executive Committee meeting.

DCA Liaison Committee: Commissioner W. Emmer (ND) informed the Committee on the upcoming DCA Meeting specifics.

Commissioner W. Emmer (ND) will be retiring on December 31, 2009.

Chairman K. Merz (MN) asked for Committee’s suggestions for the DCA Liaison Committee chair position and the Ad Hoc Dues Committee members.

Region Reports:
East Region: Commissioner W. Theriault (ME) informed the Committee that the East Region will discuss the issue of *Massachusetts Probation rejection of transfer requests* at its upcoming meeting.

Midwest Region: Commissioner L. Janes (OH) will discuss the *Barnes Supreme Court decision with the post release control (OH)* at the upcoming Midwest Region meeting.

Commissioner L. Janes (OH) requested the National Office to send her training DVDs for judges.

Commissioner L. Janes (OH) notified the Committee that the Ohio Compact Office is developing a general brochure for offenders and offender families on the Interstate Compact process. Commissioner L. Janes (OH) will share the brochure information with the National Office upon its completion.

West Region: The West Region has not met since the last Executive Committee meeting.

South Region: The South Region has not met since the last Executive Committee meeting. Commissioner G. Tullock (TN) will not run for the Region Chair position this election year.

Executive Committee report: The Committee reviewed the Annual Business Meeting agenda.

Commissioner K. Winckler (TX) will attend the DCA Meeting to address any ICOTS questions.

Commissioner W. Rankin (WI) will present the proposed rule amendments to the full Commission for approval. Commissioner W. Rankin (WI) informed the Committee that since the rule amendments were part of the Rules Committee report, he would not request an official motion for each of the amendments.

Legal Counsel R. Masters confirmed that this process complies with Rule 2.109 (h).

Commissioner W. Rankin (WI) will explain the process at the Commissioners Training on November 3, 2009.
Executive Director Report: Executive Director H. Hageman presented his report to the Committee:

- **Upcoming Meetings**
  - The Council of State Governments invited an ICAOS Executive Committee member to attend the CSG Public Safety Task Force meeting in La Quinta, CA on November 12, 2009 to help with reorganization of the public safety task force.

    Chairman K. Merz (MN) appointed Commissioner W. Emmer (ND) to represent the Commission. Chairman K. Merz (MN) indicated that he did not know about the W. Emmer’s retirement at the time of appointment.

    - The Interstate Juvenile Compact Technology Committee requested Executive Director’s assistance to present a database building project at their Annual Business Meeting on December 1, 2009

- **Investment**
  - The Council of State Governments notified the National Office about the ICAOS interest reduction from 3.0% to 2.5%.

- **Language for MOUs drafted**
  - Executive Director H. Hageman informed the Committee that a number of states expressed their concerns about the Federal Probation and Parole Services arbitrary moving offenders without consideration of local jurisdiction or interstate compact.

    The Committee reviewed the MOU drafted by the National Office.

    Commissioner W. Emmer (ND) made a motion to refer the MOU to the Rules Committee for consideration and possibly forming an ad hoc committee. Commissioner D. Ege (AZ) seconded. The motion passed.

Commissioner W. Rankin (WI) informed the Committee that in 2007, the Rules Committee drafted a rule proposal on this issue using a different approach. This rule proposal was not successful.

- **ICJ Memorandum of Understanding (MOU)**
  - Executive Director H. Hageman presented the ICJ MOU that consisted of a list of services and resources that the ICAOS may share with the ICJ creating lower costs for both of the compacts.

Commissioner W. Emmer (ND) made a motion to endorse the concept of the ICJ MOU. Commissioner W. Theriault (ME) seconded.

Commissioner W. Emmer (ND) made an amendment to give the Executive Director the power to pursue the ICJ MOU. The motion passed.
• **Database**
  – Assistant Director S. Razor created a database to track approved committees motions.

• **Best Practice**
  – The National Office is working together with the Arizona Compact Office on creating a best practice on the Violation and Retaking Process.

• **Training and Technical Assistance Request**
  – Pennsylvania and New Mexico requested assistance with ICOTS Trainings.

• **Vacancies**
  – The Vermont Governor office is in the process of appointing a new Commissioner for the states of Vermont.
  – Executive Director H. Hageman contacted an affiliate of CSG, a representative for Federal Affairs in Puerto Rico in regards to the Puerto Rico Commissioner appointment and state’s delinquent dues status. The representative will investigate the situation.

• **External ICOTS Reports (SQL) was contracted with Appriss for half of the expected cost.** The reports will be available via the Commission website.

• **Compliance**
  – Executive Director H. Hageman informed the Committee that Missouri filed an incident report against Kansas for non-secure 3rd party document sharing. The Kansas compact office was very cooperative in resolving the issue.

• **Budget**
  
  **Outstanding dues as of 10/31/2009:**
  – The National Office sent the 120 day delinquency notice to the Illinois Compact Office. Commissioner M. Buscher (IL) informed the National Office that the dues will be paid shortly.
  – The National Office sent the 120 day delinquency notice to the Puerto Rico Compact Office.
  – The National Office sent the 30 day delinquency notice to the Alabama Compact Office.
  – The National Office sent the 30 day delinquency notice to the Michigan Compact Office.

  **Expenditures**
  – Annual reductions
    – Payroll & Benefits $70,000
    – Rent $6,468
  – Equipment
    – Furniture (S. Razor’s office) $2,500.00
    – Sold to ICJ
      – Laptop $1,432
      – Cell Phone $234
The Council of State Governments completed the negotiation of a new benefits contract. There was 16% ($2,076) increase.

**Legal Counsel Report:** Legal Counsel R. Masters informed the Committee that most of his report was covered under the Executive Director Report.

Legal Counsel R. Masters underlined the importance of the actions taken towards the delinquent states.

**Old Business**
There was no Old Business.

**New Business**
Chairman K. Merz (MN) informed the Committee about P. Tuthill’s request to establish an Ad Hoc Committee to look over Victims’ Notifications issue in ICOTS and other related victims issues and concerns. P. Tuthill suggests the Committee consists of Commissioner K. Winckler (TX) and two other commissioners and P. Tuthill and 2 other national victims’ representatives.

Commissioner K. Winckler (TX) informed the Committee that she would not be able to participate in the Ad Hoc Committee work, due to a planned trip out of state.

**Chairman K. Merz (MN) made a motion to approve an Ad Hoc Committee to address Victims’ Issues in ICOTS. Commissioner M. Gilliam (OK) seconded.**

After the discussion, the Committee decided that most of the victims’ related issues need to be solved on the state level.

**The motion failed by vote of nine to three.**

The Executive Director will draft a letter on behalf of Chairman K. Merz (MN) to P. Tuthill informing her of the Committee’s decision.

**Adjourn**
Commissioner G. Tullock (TN) made a motion to adjourn. Commissioner K. Winckler (TX) seconded. The motion passed.

The meeting adjourned at 3:21 pm PST.