Interstate Commission for Adult Offender Supervision
Executive Committee Meeting Minutes

December 9, 2014
2:00 pm ET
WebEx

Members in Attendance:
1. Sara Andrews   Chairwoman, OH
2. Chris Norman   Vice-Chair, AL
3. Charlie Lauterbach  Treasurer, IA
4. Gary Roberge   CT
5. Chris Moore     GA
6. Jane Seigel     IN
7. Cathy Gibson-Beltz NE
8. Geri Miller-Fox UT
9. Dale Crook      VT
10. Anmarie Aylward WA
11. Rick Masters   Legal Counsel

Members not in Attendance:
1. Anne Precythe   NC
2. Jeremiah Stromberg OR
3. Milt Gilliam    Ex-Officio
4. Pat Tuthill     Ex-Officio

Guests:
1. Sally Reinhardt-Stewart NE

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

Approved on 02/10/2015. B.S.
**Call to Order**
Chairwoman S. Andrews (OH) called the meeting to order at 2:00 pm ET, ten voting members were present, establishing a quorum.

**Agenda**
Commissioner G. Roberge (CT) moved to approve the agenda. Commissioner J. Seigel (IN) seconded.

Agenda approved as presented.

**Minutes**
Commissioner G. Roberge (CT) moved to approve the minutes from November 6, 2014 as presented. Commissioner G. Miller–Fox (UT) seconded.

Minutes approved as written.

**Discussion**
*Rules Committee Report:* The Rules Committee met on November 12, 2014. The Committee reviewed rule proposals and by-laws changes to discuss at its upcoming WebEx and face-to-face meetings. The Committee was in favor of creating the Justice Reinvestment workgroup and the change of the rule proposals’ deadline.

The Rules Committee received ten rule proposals from the regions and anticipated more proposals to be submitted. In addition to the regions’ proposals, Victims’ Advocate P. Tuthill will be sending victims’ rights related proposals on behalf of the Compact’s victims’ representatives. The Rules Committee plans to put together a few proposals of its own.

In January, the Rules Committee scheduled a two-hour WebEx meeting to review simple proposals. The more complicated proposals will be reviewed during the two day face-to-face meeting in March 2015. The Committee will post the final proposals on the Commission’s website for review and comments.

Commissioner J. Seigel (IN) will report on the progress of the Committee at the face-to-face Executive Committee meeting. The Executive Committee will not vote on the rule proposals at that time.

*Training Committee Report:* The Committee will discuss the Training Committee issues at its next meeting, when Training Committee Chair Precythe is available for discussion.

Legal Counsel R. Masters reported that he just completed the judicial training in Albuquerque, NM.
**DCA Liaison Committee Report:** The DCA Liaison Committee met on December 8, 2014. Commissioner G. Miller-Fox (UT) stated that currently there are nine committee members. She expects more commissioners to join the committee.

The Committee decided to give all DCAs the voting authority on the Committee. However, in case of a decision on a rule or passage of the rule, only commissioners will be allowed to vote.

Legal Counsel R. Masters stated that this practice is consistent with this Committee’s past practices.

The Committee discussed the role of the DCA Liaison Committee, its vision, and goals. The Committee decided to hold quarterly DCA region meetings, based on each region’s necessity.

The Committee established three primary goals:

1. Participate in and make recommendations regarding the retaking procedures and other policies
2. Enhance communication among DCAs and commissioners
3. Promote the DCA Mentoring program. The commissioners can request the program for their DCAs.

The DCA Liaison Committee will meet again on Feb 9, 2015.

**Technology Committee Report:** Commissioner G. Roberge (CT), Technology Committee Chair, presented his report to the Committee:

- **ICOTS Help Desk**
  - 192 tickets were created in November 2014, an 8% decrease from October 2014

- **ICAOIS Website**
  - All website visits:
    - November 2014: 36,700
    - Decreased 10% from October 2014
  - Mobile visits:
    - November 2014: Over 11,200
    - Down slightly from October 2014
    - Accounted for 30% of all website traffic

- **ICOTS Security Release**
  - The Technology Committee is awaiting feedback from victims groups to decide how to implement the public web portal within ICOTS

- **ICOTS Enhancements**
  - Appriss began work on some of the enhancements, while waiting for the go ahead on public web portal functionality

- **FBI N-Dex Data Sharing**

Approved on 02/10/2015. B.S.
The data transfer is running regularly on a monthly basis

- **Fusion Center Project**
  - Georgia went online at the end of November
  - North Carolina is in the development phase
  - New Jersey may be the next state to join the project

The Technology Committee met on December 2, 2014. Beside the above items, the Committee discussed how long it takes to clear an ICOTS help desk ticket and CARs reports and functionality.

*Finance Committee Report:* The Finance Committee met on December 4, 2014. The Committee reviewed the Commission’s finance picture. The Commission’s cash reserve is healthy, but has been declining over the last few years, due to the increase in expenditures. The Commission will not have any surplus left from this year’s budget. The Committee also discussed the investment options for the Commission.

Commissioner C. Lauterbach (IA) moved to reduce the monthly investment into the CSG long term fund from $30,000 to $7,500 per month for the next 12 months. Commissioner C. Gibson-Beltz (NE) seconded.

Motion passed unanimously.

Commissioner C. Lauterbach (IA) stated that the Commission is currently 5.5% under budget.

Chairwoman S. Andrews (OH) inquired about the committees’ budget status. She was looking for a formal recommendation from the Finance Committee on this matter.

Commissioner C. Lauterbach (IA) stated that the Finance Committee did not discuss the issue. He suggested reallocating funds between committees; including moving $5,000 from the Compliance Committee to the Rules Committee and reallocating $5,000 from the Technology Committee to the Executive Committee.

Executive Director H. Hageman reminded the Committee that the Executive Committee established two workgroups this year. To fund these workgroup, some of the money can be moved from the Technical and Training Assistance fund. However, that will prevent having enough money to send the trainers in the field.

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<tr>
<th>Committee</th>
<th>FY10</th>
<th>FY11</th>
<th>FY12</th>
<th>FY13</th>
<th>FY14</th>
<th>FY15 Budget</th>
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<td>14,612.22</td>
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<td>7,390.82</td>
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Approved on 02/10/2015. B.S.
1. Rule Translations and Oregon statewide training (face-to-face)
2. Retaking ad hoc committee
3. ABM Working Group and Ad hoc on Border Issues Committee
4. Two face-to-face meetings fell in single FY, no meeting in the following year (FY14)

Chairwoman S. Andrews (OH) will meet with Commissioner C. Lauterbach (IA) and Executive Director H. Hageman and committee chairs to discuss the committees’ budgets. The issue will be discussed at the next Executive Committee meeting.

**Region Reports:**

**East Region:** The East Region met on November 6, 2014. Commissioners McCaffery and Colon volunteered to serve on the ABM Workgroup.

The national office, on behalf of Commissioner Crook, emailed the region requesting better regional representation at the Commission’s committees and workgroups.

**South Region:** Commissioner C. Moore (GA) stated that the South Region met on November 18, 2014. The Region discussed rule proposals from Florida as well as reviewed all proposals submitted to the Rules Committee.

Commissioner Nimer and DCA Tucker (FL) retire in the upcoming month.

Approved on 02/10/2015. B.S.
Three people volunteered to serve on the ABM Workgroup: Jenna James (GA), Elizabeth Powell (DC), and Nancy Ware (DC).

Midwest Region: The Midwest Region has not met since the last Executive Committee Meeting. The Midwest Region has three people who volunteered to serve on the ABM Workgroup: Suzanne Brooks (OH), Matt Billinger (KS), and Michelle Buscher (IL).

Commissioner C. Gibson-Beltz (NE) expressed her interest to serve on the Justice Reinvestment Workgroup.

West Region: Commissioner A. Aylward (WA) stated that the West Region has not met since the last Executive Committee meeting.

There are four people representing the West on the ABM Workgroup: Jeremiah Stromberg (OR), Judy Mesick (ID), Kim Madris (NV), and Shawn Arruti (NV).

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

Commissioners Changes/Vacancies
- Commissioner’s vacancy: MN, MT, and MO
- Commissioners Vale (MD) and Nimer (FL) will retire at the end of the month
- Charlene Bonner is the new commissioner for MA

Complaints, Conflict Resolution and Misc. calls
- None

Compliance Audits
- December compliance audits include KY, ME, NY, OH, and SC.
- January compliance audits will include CT, FL, NV, OK, and WY.

Other
- H. Hageman responded to NY’s letter regarding participation in the Fusion Center Project. He has not received a response yet.
- P. Tuthill is recovering from a surgery. H. Hageman spoke with P. Tuthill about the issue of hiding offenders on the Public Portal. She emailed to the victims’ representatives to ask for their opinion. H. Hageman has not received any responses yet.

Legal Counsel Report: Legal Counsel R. Masters stated that he just finished the judicial training in Albuquerque, NM. He had about 60 judges attending the training. R. Masters shared a question he received from the judges: how can a judge tell when he/she receives a NCIC warrant that it is a Compact case. R. Masters stated that the judges are interested to make sure that they are properly transferring the Compact offenders.
Legal Counsel R. Masters presented the AO 2-2014 to the Executive Committee. In summary, based upon the terms of the Compact, the rules and the legal authorities cited in the Advisory Opinion, an offender whose supervision is transferred under the Compact to the State of North Carolina and commits a ‘significant violation’ as defined under ICAOS Rules may be subjected to confinement for short periods in lieu of revocation of probation pursuant to a state statute applicable to offenders sentenced in North Carolina. ICAOS Rules contemplate that the receiving state is required to “supervise an offender transferred under the Interstate Compact in a manner determined by the receiving state and consistent with the supervision of other similar offenders sentenced in the receiving state.” However, in the interest of fairness to both the offender and the sending state, it seems reasonable to conclude that the imposition of this limited period of incarceration, in lieu of revocation of probation (‘Quick Dip’), would ‘qualify’ as a ‘special condition’ under Rule 4.103, which would require the State of North Carolina to notify the receiving state of such condition of supervision ‘at the time of acceptance or during the term of supervision’ as required under this rule.

**Commissioner J. Seigel (IN) moved to approve AO 2-2014. Commissioner C. Lauterbach (IA) seconded.**

Commissioner G. Roberge (CT) stated that these cases can apply to somebody who transfers under the Compact and commits a violation. He asked if the Committee knows whether North Carolina uses the Quick Dip program for described cases. He stated that by definition these cases are qualified as significant violation.

Commissioner C. Gibson-Beltz (NE) stated that the significant violation requires a state to revoke it, based on this Advisory Opinion, the state does not revoke the case, but use the Quick Dip program. She inquired whether the Quick Dip supposed to be only for technical violations.

Commissioner G. Roberge (CT) confirmed that the Quick Dip program was only used for technical violations.

**Motion withdrawn.**

Legal Counsel R. Masters will provide some additional language to clarify the AO 2-2014 and present it at the next committee meeting.

Legal Counsel R. Masters mailed a letter to Commissioner Maccarone regarding the requested changes to AO 1-2014 per Executive Committee request. He has not received a response yet.

Legal Counsel R. Masters stated that the national office received a check for litigation cost and fees from California. California has completed its obligations under its agreed order.

Chairwoman S. Andrews (OH) stated that the Justice Reinvestment Workgroup item will be discussed at the next meeting when Commissioner Precythe is present.
Todd Box’s Book: Executive Director H. Hageman informed the Committee that CSG Legal Counsel J. Mosley and ICAOS Legal Counsel R. Masers contacted Amazon to remove *Blood Bureau of Kidnap, Rape, Torture, and Murder* book by Todd Box. The book has defamatory statements about the Commission.

Legal Counsel R. Masters stated that there is always an option to go forward with a proceeding to charge Mr. Box.

**Old Business**

*ABM Workgroup:* Commissioner C. Norman (AL) stated that the ABM Workgroup has thirteen members: Scott McCaffery (ME), Suzanne Brooks (OH), Chris Norman (AL), Jeremiah Stromberg (OR), Raquel Colon (PR), Matt Billinger (KS), Jenna James (GA), Judy Mesick (ID), Michelle Buscher (IL), Elizabeth Powell (DC), Kim Madris (NV), Nancy Ware (DC), and Shawn Arruti (NV).

Chairwoman S. Andrews (OH) recommended proceeding with scheduling a meeting.

**Adjourn**

Commissioner G. Roberge (CT) moved to adjourn. Commissioner C. Gibson-Beltz (NE) seconded.

The meeting adjourned at 2:59 pm ET.