Interstate Commission for Adult Offender Supervision (ICAOS)  
Nebraska  
Interstate Compact State Council Meeting

October 19, 2011  
2:00 p.m. - 4:00 p.m.

**Location:** Executive Building  
521 South 14th Street  
Lower Level Conference Room  
Lincoln, NE 68508

<table>
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<tr>
<th>Time</th>
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| 2:00 pm| Call to Order/ Roll Call  
Ellen Fabian-Brokofsky, Probation Administrator / Interstate Compact Commissioner |
| 2:15 pm| Approval of the Meeting Minutes; April 6, 2011 and August 25, 2011 (emergency meeting) |
| 2:15 pm - 3:10 pm | New Rules Passed at the 2011 Annual Business Meeting (ABM)  
• Effective Date  
• Training Rules |
| 3:10 pm - 3:20 pm | Distribute and Discuss 2011 ICAOS FY 2011 Annual Report |
| 3:20 pm - 3:30 pm | Annual Business Meeting 2011 Discussion  
• Appriss Proposal: Sharing ICOTS data with Justice Xchange |
| 3:30 p.m. | Old Business  
• ICAOS Annual Audit  
• JBE  
• County Attorney Trainings  
• Jail Staff Training |
| 3:45 p.m. | New Business  
• Victim Information Presentation at 2011 ABM  
  • Request from ICAOS Victim Representative |
| 4:00 p.m. | Adjourn |

**Correspondence or Questions Contact:**  
Kari Rumbaugh, Probation DCA  
402-471-2855
Nebraska State Council  
Interstate Compact for Adult Offender Supervision  
October 19, 2011

Call To Order/Roll Call:
The regular meeting of the Nebraska State Council of Interstate Compact for Adult Offender Supervision (ICAOS) was called to order at 2:04 p.m. by Commissioner Ellen Fabian Brokofsky. Per open meeting laws, the meeting notice had been published and posted, and proceedings were being recorded. Roll was called.

Present:
Ellen Fabian Brokofsky, Jeffrey Davis, Linda Krutz, Judge Paul Merritt, Jr., James Pearson, Sally Reinhardt-Stewart, Kari Rumbaugh, Colonel David Sankey, Joana Svoboda Briggs, Larry Wayne, Mark Young. Also present: Catherine Corbet.

Not Present: Senator Mark Christensen, Cathy Gibson-Beltz, Judge Kenneth Vampola

Prior to the start of regular business, Commissioner Brokofsky congratulated Kari Rumbaugh for 2011 Interstate Compact Executive Director's Award in recognition of her outstanding work for the Adult Interstate Compact System. The award was presented at the 10th Annual Business Meeting in September in Montgomery, Alabama.

Approval of Minutes:
The Minutes of the April 6, 2011, meeting were approved as read after quorum was achieved.

New Business:
Commissioner Brokofsky had Kari Rumbaugh report on the new rules that passed during the 2011 business meeting. Rumbaugh distributed copies of the rule changes to members. The following changes were discussed:

1. The Commission may appoint ad hoc committees to perform specific tasks or purposes and report to the Commission. Rumbaugh explained this would eliminate the need for all states to meet to discuss/vote on issues not requiring the entire membership.

2. The definition of a Violent Offender was revised to mean the offender was “under supervision for a violent crime committed in the sending state.” Rumbaugh explained the previous definition implied collaboration between the sending and receiving state in determining who was considered to have committed a violent crime. The new definition gives only the sending state this authority.

3. Rule 3.105 was amended to include Transfer Requests for probationers, in addition to those for parolees. A sending state may submit a Transfer Request no earlier than 120 days prior to the planned release from a correctional facility. It also instructs sending states to inform receiving states if the plans for the transfer change.
4. Rule 3.107 was amended to require information about an offender’s known gang affiliation and gang name, if known. In response to questions, Rumbaugh reported the information was to be used for informational purposes, but could not be used as the sole reason for denying a case. Discussion was also held on how to determine what a valid source of gang information would be.

5. Rule 3.107 was also amended to require supervision history of an offender who has been on supervision for at least 30 days. Rumbaugh noted the rule does not set forth how much a supervision history is given and at this time can be as little as a summarizing statement.

6. Rule 4.111 was amended to add in victim sensitive cases. The sending state shall not provide reporting instructions until the process of notifying the victim have been followed. Discussion followed on the process of notifying victims.

7. Rule 4.112 was amended to add the requirement of a sending state submitting a case closure notice reply to the receiving state within 10 business days of the receipt.

Commissioner Brokofsky reminded members these rules all go into effect March 1, 2012, and asked how these changes would be passed on to the Courts. Rumbaugh reported with previous rule changes she wrote an article outlining the changes for inclusion in the monthly Nebraska Supreme Court Administrative Memorandum and also informed judges of updates on the online Bench Book. Rumbaugh also said she and Sally Reinhardt-Stewart have conducted web-based rules trainings to inform all officers of the changes.

Judge Merritt asked if rules training was also shared with County Attorneys, as judges often depend on them to be current with laws and rules. Rumbaugh said past attempts to get on the agenda for state-wide meetings had not been successful. Mark Young offered to check into getting time for Interstate Compact at the County Attorneys’ meeting in May.

Discussion also centered around instances in which Interstate Compact offenders had incorrectly been allowed to bond out of jail after being picked up on a warrant from a sending state. Rumbaugh and Reinhardt-Stewart reported having good relationships with jail personnel in Lancaster and Douglas Counties as those officials now check with Compact Offices when a detainee lists Interstate Compact as part of his/her background. They added there has been less success in the training those jails in rural districts. Jeffrey Davis offered to see if training could be included in Sheriffs’ Association’s meetings.

Commissioner Brokofsky pointed out copies of the Annual Report that were included in handouts. Rumbaugh noted current statistics were listed on the final page of the document. Of interest was the fact that Nebraska again has more offenders transferring into Nebraska than transferring out.

Old Business:

Commissioner Brokofsky inquired about the status of the annual audit of Interstate Compact cases. Rumbaugh reported Nebraska, as one of the state having received a rating of 80 percent or higher the previous year, did not need to go through the audit process this year.
Rumbaugh reported she is working with staff of the Supreme Court Judicial Branch Education to provide on-line training on Interstate Compact issues in the future. It is hoped these would be offered as part of a lunch-hour series of trainings, which will be recorded and available at a later time.

Discussion was held regarding victim notification. Joana Svoboda Briggs participated in recent survey gathering information as to how victims of crimes are notified when offenders move. Rumbaugh said a victim-focused ad hoc committee was promoting using an automatic feature generated by ICOTS to notify victims when offenders move. She noted this would be at an additional cost and wondered what others states are currently doing.

Briggs reported Nebraska currently uses Victim Information Notification Everyday (V.I.N.E.) offered through the Nebraska Crime Commission. Victims can call in to the information system or sign up for automatic notification. She added other states also use the V.I.N.E. system.

After additional discussion, Commissioner Brokofsky suggested inviting an official from V.I.N.E., as well as the Domestic Violence Programs Services Specialist from Probation Administration, to present at the next Council meeting. It was also suggested that at that meeting, members could view a documentary that is available on the ICAOS website. Pat Tuthill, an Interstate Compact Victims’ Advocate, is interviewed about her daughter, who was assaulted and murdered in 1999 by a convicted felon who had moved from the state in which he had been convicted.

Rumbaugh reported at the annual business meeting, Appriss presented a Memorandum of Understanding (MOU) to merge ICOTS data into one of their fee-based programs called JusticeXchange. The finalized MOU must be approved by the ICAOS Executive Committee and will be on a forum for comment. Rumbaugh researched the program by contacting Mike Overton with Nebraska Criminal Justice Information System (NCJIS). Overton reported they are not a subscriber of JusticeXchange nor do they see a need for this program in Nebraska. However, he said NCJIS could be adapted to include Interstate Compact information. After discussion on the MOU, JusticeXchange or the possibility of modifying NCJIS or the National Crime Information Center (NCIC) database, it was decided to table this issue until more information becomes available through the national office and/or forums.

Next Meeting: April 11, 2012, at 2:00 p.m. The location will be announced.

Adjournment: There being no further business, the meeting adjourned at 3:25 p.m.

Submitted by: Catherine Corbet