



Interstate Commission for Adult Offender Supervision

Ensuring Public Safety for the 21st Century

Executive Committee Manual

ICAOS

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Introduction

The purpose of this manual is to educate new Executive Committee members on aspects of their role in the Commission and Executive Committee.

Purpose of the Commission

The Interstate Commission for Adult Offender Supervision is established to fulfill the objectives of the Compact, through means of joint cooperative action among the compacting states to promote, develop and facilitate safe, orderly, efficient, cost effective and uniform transfer and supervision of adult offenders in the community who are authorized pursuant to the bylaws and rules of this Compact to travel across state lines both to and from each compacting state, and, when necessary, return offenders to the originating jurisdictions.

Organization and Structure

National Commission

The Commission is comprised of one voting member (Commissioner) from each compacting state. Each compacting state is required to provide the Commissioner letter of appointment to the Commission chairperson and National Office. Upon the expiration of a designated term or the occurrence of mid-term vacancies, the Commission chairperson is required to promptly advise the Governor and State Council for Interstate Compact of the compacting state of the need to appoint a new Commissioner.

The Commission also includes individuals who are not Commissioners and who do not have a vote, but who are members of interested organizations. Such non-commissioner members are ex-officios and must include a representative of the National Governors Association, the National Conference of State Legislatures, the Conference of Chief Justices, the National Association of Attorneys General and the National Organization for Victim Assistance. In addition, representatives of the National Institute of Corrections, the American Probation and Parole Association, Association of Paroling Authorities International, the Interstate Commission for Juveniles, the Association of Prosecuting Attorneys, the Conference of State Court Administrators, the National Sheriff's Association, the American Jail Association, the National Association of Police Organizations, the National Association for Public Defense, and the International Association of Chief of Police may be ex-officio members of the Commission.

Officers and Duties

Chairperson

The chairperson calls and presides at all meetings of the Commission and, in conjunction with the Executive Committee, prepares agendas and makes appointments to all committees.

Vice Chairperson

The vice chairperson, in the absence or at the direction of the chairperson, performs any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson serves as acting chairperson until the Commission elects a new chairperson. The vice chairperson may also undertake specific tasks and responsibilities as requested by the chairperson.

Secretary

The Commission's executive director serves as the secretary. The secretary keeps minutes of all Commission meetings and acts as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.

Treasurer

The treasurer, with the assistance of the Commission's executive director, acts as the custodian of all Commission funds and is responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer will execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.

Election and Succession

The officers of the Commission include a chairperson, vice chairperson, secretary and treasurer. The officers are elected by Commission members every two years with the exception of the secretary (executive director.) The elected officers serve without compensation or remuneration, except as provided by the Compact.

Vacancies

When an officer position is vacated before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to hold office for the unexpired portion of the term. Or, at the next regular or special meeting of the Commission, the vacancy can be filled by majority vote of the Commission.

Costs and Expense Reimbursement

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

Immunity

The Commission, Commission members, officers, executive director, and employees are immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person is not protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Defense

Subject to the provisions of the Compact and rules, the Commission shall defend the Commissioner of a compacting state, the Commissioner's representatives or employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing.

Indemnification

The Commission shall indemnify and hold the Commissioner of a compacting state, his or her representatives or employees, or the Commission, and its representatives or employees harmless in the amount of any settlement or judgment obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Committees

Executive Committee

The Executive Committee is empowered to act on behalf of the Commission between Commission meetings, except for rulemaking or amendment of the Compact. The Committee is composed of all officers of the Interstate Commission, the chairpersons of

each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission.

The immediate past chairperson of the Commission also serves as an ex-officio member of the Executive Committee and both the ex-officio victims' representative and immediate past chairperson serve for a term of two years. The procedures, duties, budget, and tenure of the Executive Committee is determined by the Commission. The power of the Executive Committee to act on behalf of the Commission is subject to any limitations imposed by the Commission, the Compact or its bylaws.

The Executive Committee is responsible for monitoring the health, needs, and accomplishments of the Commission while also ensuring the organization operates according to its bylaws. The Committee's functions include, but are not limited to, financial management, national staff oversight, strategic planning, and scheduling of full Commission meetings.

Regional Representatives

A regional representative of each of the four regions of the United States (Northeastern, Midwestern, Southern, and Western) are elected or reelected, beginning with the 2005 annual meeting, by a plurality vote of the Commissioners of each region and serve for two years or until a successor is elected by the Commissioners of that region.

In the event a regional representative is unable to attend a regional meeting or a meeting of the Executive Committee, that region shall be authorized to designate an alternative representative who is a Commissioner from the same region to act on behalf of a regional representative at a specified regional or Executive Committee meeting.

Every two years when the Commission elects new officers, it is the responsibility of the region chairs to serve as the nominating committee during the election process and appoint a spokesperson/chair to administer the election and ballots.

Committee Chairs

Each committee chair ensures that the business which comes to their committee is dealt with appropriately, and that the committee reaches decisions that enable business to be completed. Committee chairs are responsible for organizing meetings, preparing agendas, calling meetings to order, delegating responsibilities to committee members, involving all members in the decision making process, and reporting the work of the committee to the Executive Committee and chairperson of the Commission. The committee chair is also responsible for making recommendations for membership to their committee. Proposing one to two individuals from each region for parity purposes is encouraged. Recommendations are sent to the Commission chairperson who then endorses the individual for membership.

In the event a chairperson of a standing committee is unable to attend a specified meeting of a standing committee or a meeting of the Executive Committee, each standing

committee may designate a vice-chairperson to act on behalf of the standing committee at a specified standing or Executive Committee meeting.

Below are committees established for the Commission and their business purpose:

Compliance Committee

The Compliance Committee monitors the compliance of member states with the terms of the Compact and the Commission's rules. The Committee is also responsible for developing appropriate enforcement procedures for the Commission's consideration.

Rules Committee

The Rules Committee administers the Commission's rulemaking procedures and assists in drafting proposed rules for the Commission's consideration as appropriate.

Training, Education and Public Relations Committee

The Training, Education and Public Relations Committee develops educational resources and training materials for use in the member states to help ensure awareness of, and compliance with, the terms of the Compact and the Commission's rules.

Information and Technology Committee

The Information and Technology Committee identifies and develops appropriate information technology resources to facilitate the tracking of offenders and the administration of Commission activities. The Committee also develops recommendations for the Commission's consideration as appropriate.

Deputy Compact Administrator's Liaison Committee

The DCA Liaison Committee serves to enhance the flow of information between the Commissioners and the Deputy Compact Administrators. The Committee ensures communication and feedback is forwarded appropriately and provides training opportunities for the Deputy Compact Administrators.

Finance Committee

The Finance Committee is responsible for monitoring the Commission's budget and financial practices, including the collection and expenditure of Commission revenues, and for developing recommendations for the Commission's consideration as appropriate.

Ad Hoc Committees

Ad Hoc Committees are formed for a one-time purpose to deal with a particular issue and are disbanded after the issue is resolved. They provide stop-gap or temporary measures to solve problems that are not resolved by ordinary processes of the Commission.

Ad Hoc Committees of the Commission:

Misdemeanor Rule 2.105, 2003-2004

To review issues with the misdemeanor rule and make recommendations to the Rules Committee. These recommendations were considered in re-drafting the rule regarding misdemeanant eligibility.

Audit, 2005-2007

To formally audit the compliance of approximately 20% of the compacting states per year to determine each state's compliance with the terms and conditions of the Compact. Self-assessment audit tools were created for compact states to use.

Sex Offender, 2005-2007

To address compact issues concerning sex offenders. The Committee specifically developed a policy statement and proposed rules to guide the transfer of sex offenders in a manner that promotes effective case management strategies and are consistent with public safety, risk reduction considerations, and victim's rights.

Treatment in Other Jurisdictions, 2007-2008

To investigate issues affecting offenders' access to treatment programs in other jurisdictions and, if necessary, recommend appropriate revisions to ICAOS rules.

Finance (Sub-Committee,) 2007

To examine current dues formula for inadequacies in tier allocations.

Violations & Retaking, 2009-2010

To examine the clarity of the ICAOS rules in regards to procedures regarding responding to violations, retaking, providing due process to offenders and balancing the legitimate interests of the sending and receiving states.

Risk Assessment, 2010-2011

To explore the feasibility of incorporating the use of principles of effective classification which includes risk, need, responsivity, and professional discretion in the interstate compact transfer process.

Dues, 2010-2011

To propose new dues formula based on 2010 census numbers and ICOTS offender data.

Victim Notification Issues, 2010-2011

To explore issues regarding victim notification processes and ICAOS Rules.

Border Community Issues, 2013-2014

To examine the problems and issues facing states that supervise offenders in communities which cross state borders.

Violation Sanctions & Retaking, 2015-2016

To examine the sanctioning and retaking of offenders who violate conditions of supervision and who commit new crimes in the receiving state. Specifically, the committee was tasked to review and recommend changes to Chapter 1, “Definitions” and Chapter 5 “Retaking” of the ICAOS rules.

National Office

Executive Director

The Commission retains an executive director, who serves at its pleasure and acts as secretary to the Commission, but is not a member of the Commission. The executive director also manages the day-to-day activities of the Commission’s National Office. As the Commission’s principal administrator, the executive director also performs such other duties as may be delegated by the Commission or required by the Compact, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the Commission’s consideration;
- b. Recommend for the Commission’s consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- c. Implement and monitor administration of all policies programs, and initiatives adopted by Commission;
- d. Prepare draft annual budgets for the Commission’s consideration;
- e. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of account;
- f. Assist Commission members or Commissioners as directed in securing required assessments from the compacting states;
- g. Execute contracts on behalf of the Commission as directed;
- h. Receive service of process on behalf of the Commission;

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- i. Prepare and disseminate all required reports and notices directed by the Commission; and
 - j. Otherwise assist the Commission's officers in the performance of their duties under Article III herein.

Selection Process

Hiring an executive director begins with the Executive Committee. By identifying immediate and long-range objectives, the Committee can search for candidates that meet those criteria which can yield significant returns for the Commission.

Evaluation Process

Every Spring the chairperson of the Commission is responsible for compiling and conducting the executive director's evaluation. The chairperson elicits comments and feedback from the Executive Committee to be included in the evaluation before the Committee reviews and approves the final document. The Executive Committee will also evaluate any salary increase at the time of the evaluation.

Effective evaluations require measurable goals. The Executive Committee should set goals with the executive director and monitor progress throughout the year. Strategic planning and establishing initiatives are an integral part of setting goals and expectations of the executive director.

Other Staff

The executive director is responsible for managing the national staff. Currently, there are six positions in the National Office which include (full job descriptions of each position are available in the National Office):

1. Executive Director
2. Assistant Director
3. Systems Manager
4. Training & Audit Coordinator
5. Logistics and Administrative Coordinator
6. Website Analyst

The executive director initiates the hiring process for existing positions as well as setting the salary range with the approval of the Executive Committee. In cases where a position needs to be created or eliminated, either the Executive Committee or the executive director can propose this action while also informing the Commission.

The executive director or assistant director conducts evaluations of the national staff. Copies of personnel appraisals are also sent to the chairperson of the Commission. Salary increases for national staff are evaluated during this time and take effect at the beginning of the fiscal year.

Meetings

Agendas

Final agendas shall be provided to all Commission members no later than 10 days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the members.

Open and Closed Session

All Commission meetings are open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the Federal Government in Sunshine Act, 5 U.S.C. § 552b, including, but not limited to a publication of notice of the meeting at least 10 days prior to the meeting in a nationally distributed newspaper or an official newsletter regularly published by or on behalf of the Commission and distributed to interested parties who have requested in writing to receive such notices.

A meeting may be closed to the public where the Commission determines by two-thirds vote of its members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules. For every meeting closed pursuant to this provision, the Interstate Commission's chief legal counsel publicly certifies that, in his or her opinion, the meeting may be closed to the public. Keep in mind, that no voting can take place in closed session.

Annual Business Meeting

The Commission is required to meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings are scheduled at the discretion of the chairperson, and must be called upon the request of a majority of Commission members. All Commission members shall be given a 30-day written notice of Commission meetings along with meeting information.

Annually, the National Office conducts a national search and presents viable meeting options to the Executive Committee who approves the budget and meeting location.

The Executive Committee meets twice at the annual meeting, before and after. Responsibilities of Committee members at the annual meeting include making presentations as needed during the Commissioner Training, conducting region meetings and reporting to the Commission.

Committee and Region Meetings

Committees and regions generally meet via teleconference through WebEx. WebEx is an interactive conferencing tool which allows participants to view documents on their computer. WebEx meetings are hosted and scheduled through the National Office. Committee and region chairs are responsible for setting the meeting date and notifying the National Office. The National Office will then set up the meeting, send out notices and

materials and report to the chairperson if a quorum is established. The Executive Committee meets the second Tuesday of every month via teleconference and has two face-to-face meetings annually.

If the funding is approved, a Committee or region may meet face-to-face. Face-to-face meetings are commonly held in Lexington, Kentucky where the National Office is located because of cost and resource factors. The National Office will secure accommodations, logistics and meeting space as well as assist in travel arrangements.

Quorum

Commission members representing a majority of the compacting states constitute a quorum for the transaction of business, except as otherwise required in the Commission's Bylaws. The participation of a Commission member from a compacting state in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the member present is entitled to vote on behalf of the compacting state represented. The presence of a quorum must be established before any vote of the Commission can be taken.

Voting

Each compacting state represented at any meeting of the Commission is entitled to one vote. A member must vote and can not delegate a vote to another member. Members may participate and vote in meetings of the Commission and its duly authorized Committees. Except as otherwise required by the Compact or the Bylaws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Procedure

Matters of parliamentary procedure not covered by the Bylaws are governed by Robert's Rules of Order.

Public Participation in Meetings

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

National Office Support

The National Office keeps minutes for each Commission, Committee and region meeting which fully and clearly describes all matters discussed and provides a full and accurate summary of any actions taken, a description of the views expressed and the record of any roll call vote. Services to assist Executive Committee members when convening committee and or region meetings include:

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- Scheduling meetings
 - Notifying chairperson of quorum
 - Outlining an agenda
 - Taking minutes
 - Managing committee/region documents
 - Providing logistical support
 - Posting meeting information on the Commission's website

Finance

Fiscal Year

The Commission operates on an annual budget cycle beginning on July 1 and ending on June 30 of each year.

Budget

At the annual meeting, a budget report is distributed to each Compact member state showing expenditures, income and fund balance of the Commission for the previous, current and ensuing fiscal year.

The executive director, in consultation with the treasurer and Finance Committee, initiates the drafting of the annual budget. Once drafted, the budget is modified or approved by the Executive Committee and adopted by the Commission at the Annual Business Meeting prior to each fiscal year.

The Executive Committee can make various budget approvals to an adopted budget, such as a committee who seeks to exceed their budget or moving funding across line items.

Accounting and Audit

The National Office generates and distributes monthly financial reports to the officers. These reports consist of a ledger of expenses, a summary and a balance sheet for all Commission funds. A spreadsheet is circulated to the Executive Committee based on these reports analyzing budgeted line items against actual figures.

Dues

Each Compact member state is assessed an annual fee which must cover the cost of the internal operations, activities of the Commission and its staff, and a total amount sufficient to cover the annual budget approved each year. According to the Dues Enforcement Policy, enforcement guidelines established for the collection of dues include:

- Member states are invoiced for the annual dues at the beginning of the state's fiscal year.
- If a member state has not paid its annual dues within the 30 days of the start of the new fiscal year, the National Office will send a written reminder to the Commissioner. Interest shall accrue on the balance of the unpaid dues after 30

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- days at the rate of 1% per month not to exceed 12% per annum; which shall begin to accrue on the 31st day after which such dues remain unpaid.
- If a member state has not paid its annual dues within the 90 days of the start of the state's new fiscal year, the National Office will send, by registered mail, a written delinquency notice to the Commissioner.
 - If a member state has not paid its annual dues within the 120 days of the start of the state's fiscal year, the Executive Director will refer the matter to the Compliance Committee for enforcement action.

The annual assessment is allocated based on a formula determined by the Commission and bound by rule upon all signatory states. The National Office is responsible for invoicing and tracking dues collection.

Planning

Strategic Planning and Initiatives

The strategic planning process is the Executive Committee's method of defining the Commission's direction and making decisions on allocating resources. When developing strategies, the Executive Committee analyzes the organization, objectives and future development.

The Executive Committee develops these initiatives by:

- Clearly defining the purpose of the organization and establishing goals consistent with the mission;
- Ensuring the most effective use of the Commission's resources are used by focusing on priorities;
- Providing a base from which progress can be measured; and
- Communicating goals and objectives to the full Commission

At least once a year, the Executive Committee conducts strategic planning sessions in order to be ready for the coming fiscal year. This will provide time to identify the organizational goals and resources needed. Upon conclusion of a session, action plans and initiatives are updated.

Monitoring and evaluating initiatives is as important as identifying strategic issues and goals. One advantage of monitoring and evaluating is to ensure that the organization is following the direction established during strategic planning. Another major advantage is that the Executive Committee can learn a great deal about the organization and its operation.

National Office Services

The National Office serves as a resource center for the Commission. Among its many responsibilities, the National Office provides assistance with logistical planning, training, policies, programs, maintaining the Commission's website, and supporting the work of regions and committees. Specific programs and assistance provided by the National Office include:

- Annual Compliance Audit Program
Using data from ICOTS, member states are subject to an annual audit to measure compliance with specific ICAOS rules.
- Best Practices Publication
Innovative programs, practices, policies and procedures.
- Mentoring Program
Orients and assists Commissioners in maintaining an active level of awareness in the Commission.
- Interstate Compact Offender Tracking System (ICOTS)
National database system to effectively transfer, manage and report offender movement.
- Ensure objectives from Planning Sessions are realized
Establish goals and timeframes to complete objectives and assists committee members with goals specific to their area of focus.
- State's establishment and maintenance of State Councils
Provide training, reference manuals, best practice procedures and on-site assistance
- On-Demand Training
Self-paced computer training developed for Compact staff, line officers, Commissioners, judiciary, legal staff, etc.
- Live WebEx Training
Web-based computer training delivered live by a national trainer to Compact staff, line officers, state council members, etc.
- Website Administration
Update, support, and enable for online forums, downloadable documents and references, meeting support and notifications, as well as an online store.
- Policy Development

Maintain and develop administrative policy for the National Office and Commission.

- Comprehensive Meeting Support
For web-meetings, provide set-up, scheduling, documents, minutes, and technical support. For on-site meetings, search for sites and negotiate contracts. Provide technical support, materials, presentations, agendas, minutes, and food service.
- Legal
 - Legal review of contracts
 - Interaction with Commission general counsel to answer legal questions and provide guidance

Appendix

Policies

Commission Bylaws