



# Maryland Interstate Compact State Council Meeting 2021

Date: June 3, 2021		Meeting Time: 3:00 p.m.	Meeting Location: Google Meet
Meeting called by:		Maryland Interstate Compact	
Attendees		Robert Green, Secretary of DPSCS  Susan Baron, Assistant Attorney General  Martha Danner, Director of DPP & Commissioner for MD Interstate Compact  LaShonda Lee-Campbell, Deputy Compact Administrator  Julie Stevenson Solt, Judge  Brian Diggs, Major, Warrant Apprehension Unit  Juanita Myers, Executive Assistant to Director of DPP	
Robert Green, Secretary			
Opening Remarks:		Welcome to the Maryland State Council Meeting for 2021. The Maryland Interstate Compact is doing a wonderful job, especially during the pandemic, keeping us in compliance and ahead of the national trend. This statutory meeting will be held annually to make sure we are in full compliance in handling compact business.	
LaShonda Lee-Campbell, Deputy Compact Administration			
Purpose of the Council:		Article IV of the ICAOS Model Act requires each state to establish a State Council for overseeing its intrastate affairs relative to the national compact. Each member jurisdiction must create and maintain a State Council to serve as the coordinating body and in-state partner to the Commission.	
Council Requirements:		Per Administrative Policy 03-2009, each state is required to have at least a representative from: <ul style="list-style-type: none"><li>Legislative Branch</li><li>Judicial Branch</li><li>Executive Branch</li><li>Compact Administrators</li><li>Victims' related groups</li></ul>	



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<b>Council Membership:</b>	<ul style="list-style-type: none"><li>• Secretary Robert L. Green, Chairman</li><li>• Director Martha L. Danner, Commissioner</li><li>• Asst. Attorney General Susan Baron, Esq., Counsel to the Council</li><li>• The Honorable Julie Stevenson Solt, Judge – Frederick County</li><li>• Major Brian Diggs, Law Enforcement</li><li>• Director Karen Darby, DPP Victim Services</li><li>• Legislative Branch Representative – Vacant</li><li>• State’s Attorney Representative (optional) – Vacant</li><li>• Defense Attorney Representative (optional) – Vacant</li></ul>
<b>Council Meetings:</b>	<p>There is no single requirement to hold meetings, however, acting as a functioning state council likely requires meeting a minimum of once per year. The Secretary’s office will send letters to the speaker’s office to request vacancy fulfillment.</p>
<b>State Council Functions/Duties:</b>	<p>The state council is essentially a communication and support mechanism to assist with developing statewide policy, acquiring critical resources, and Compact Office operations.</p> <p>According to Article IV, state councils must:</p> <ul style="list-style-type: none"><li>• Appoint the state’s Compact Administrator as Commissioner to serve on the Interstate Commission for the state (may be appointed by the State Council or the state’s governor in consultation with the legislature and judiciary);</li><li>• Determine the State Council’s membership and;</li><li>• Exercise oversight and advocacy which includes but is not limited to the development of operating policies for the state’s Interstate Compact office;</li><li>• ICAOS Policy;</li><li>• Provides additional duties such as annual reporting requirements which must be filed with the national office and national archives by December 31<sup>st</sup> of each year and must contain:<ul style="list-style-type: none"><li>○ An update to the council’s roster that identifies membership by required groups;</li><li>○ An annual update of meeting dates and frequency held during the year;</li><li>○ A summary of accomplishments, activities, or meeting minutes (optional).</li></ul></li></ul> <p>The State Council may also:</p> <ul style="list-style-type: none"><li>• Inquire about the efficiency or effectiveness of compact processes;</li><li>• Review annual reports and compliance dashboards developed and maintained by the national office;</li><li>• Develop or monitor legislative or policy positions within your state;</li><li>• Make recommendations for and coordinate training of compact offices and other affected state partners;</li></ul>



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	<ul style="list-style-type: none"><li>• Inform the Executive, Legislative, and Judicial Branches of vacancies in Compact Administrator, Commissioner, or Council membership;</li><li>• Engage in dispute resolution;</li><li>• Coordinate other compact-related activities and responses among the branches of government;</li><li>• Raise the visibility of the compact among state leaders, non-governmental interest groups, and the public.</li></ul>
<b>Suggestions for topic discussion:</b>	<p>How is my state implementing Compact rules?</p> <p>Are there recommended changes for discussion at the regional or national levels?</p> <p>Does your state have the right data to evaluate the effectiveness of Compact rules and operations within your state?</p> <p>Are compact offenders treated the same as in-state offenders?</p> <p>What policies or state laws prevent equal treatment?</p> <p>How can we monitor equal treatment of in-state and compact offenders?</p> <p>How can we affect statutory and policy change to ensure equal treatment of compact offenders as required by Compact rules?</p> <p>Are staffing and resource needs adequately met by state appropriations?</p> <p>Are there related fees that could be passed/implemented to provide the needed resources?</p> <p>What effect would compact fees have on equal treatment, equity, etc.?</p> <p>How does your state's compliance rate appear on dashboard reports available from the national office? (may require your state office to provide or assist with accessing reports).</p> <p>What is needed to achieve better compliance?</p> <p>How have other states achieved greater compliance success?</p> <p>How can your state streamline processes such as warrant issuance and tracking to ensure compliance and improve retaking procedures?</p> <p>What training is necessary for officers, prosecutors, or judges to improve efficiency and effective supervision aimed at public protection and successful offender outcomes?</p> <p>Explore other data and measures of offender success as well as case management variables to maximize life-of-supervision efficiency and effectiveness.</p> <p>Is your state's treatment of offenders equitable across demographic lines?</p>



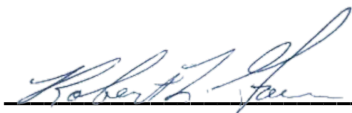
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	<p>How can your compact office improve relations with jails, the judiciary, victims' groups, prosecutors, and others?</p>
<b>Maryland's Current Compliance Statistics:</b>	<p>Maryland is currently compliant in all areas of the Interstate Compact Offender Tracking System (ICOTS).</p> <p>ICOTS is the system used daily to monitor cases, communicate with other states, and ensure overall compliance regarding case handling.</p> <p>Maryland has scored in the 90 percentile in all areas, and has surpassed the National average in all areas.</p>
<b>Current Compliance Issues (MD to CA case):</b>	<p>A client's probation was modified to "remote reporting only." The client is a resident of California, and planned to transfer her probation there. The client has already returned to California without going through the Compact. The case qualifies for transfer via the Compact. This client believes that since the Maryland Judge granted "remote reporting only," she/he does not have to report in person.</p> <p>Per rules 4.101, 4.103, and 4.111, <i>The receiving state determines the manner and degree of supervision in the receiving state (4.101). The receiving state may impose additional special conditions (4.103). The receiving state must supervise the incoming offender as they would their own state's offender (4.111).</i></p> <p>The sending state cannot instruct the receiving state how to supervise the offender.</p> <p>The following resolutions were attempted and successful:</p> <ul style="list-style-type: none"><li>• The Judge's chambers was contacted to inform that the modified order violates the Compact;</li><li>• The field Agent was instructed to submit a "Request for Guidance" report informing the court of the aforementioned;</li><li>• A copy of the ICAOS Bench Book (with the rules and landmark cases) was sent to the Judge's assistant;</li><li>• A request for reporting instructions was sent to California;</li><li>• Maryland's DCA communicated with California's DCA and efforts were made to bring the case back into compliance.</li></ul>
<b>Compliance Issue – Warrants:</b>	<p>A copy of a new rule proposal was sent to all attendees of this meeting. In 2019, there was a national compliance audit of all 50 states and three territories regarding how warrants were issued and entered into NCIC. Maryland was among 32 states that failed. The rule currently states "<i>upon receipt</i>" of a violation report, the sending state is to issue a fully extraditable warrant and enter it into NCIC.</p> <p>The Commission is proposing a rule change to include Interstate Compact warrants be issued and entered in NCIC as fully extraditable within 15 business days. It is</p>



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	anticipated that the rule will pass when voted on in September. If the rule passes, Maryland anticipates challenges with maintaining compliance in this area regarding probation warrants. To be proactive, we have implemented a few changes to ensure compliance with the 15-day rule.
Possible Solutions – Warrants:	<p>Clearly identify Interstate Compact warrant request by having a new report in OCMS listed as “Request for Warrant – Interstate Compact.”</p> <p>Agents and Monitors will include in the body of the report (final sentence) that “<i>This is an Interstate case, and Maryland is Federally mandated to issue a fully extraditable warrant.</i>”</p> <p>Communicate with stakeholders that Interstate Compact warrants must be entered in NCIC within 15 business days of receipt.</p> <p>Communicate with DPP field staff that Interstate Compact warrants shall be submitted within 48 hours of receipt.</p>
Q & A	
Suggestion by Judge Stevenson Solt:	Conference of Circuit Court Judges and Judge Morrissey will be notified of the Request for Warrant-Interstate Compact procedures to help extradite the process within the Judicial branches.
Note taker: Juanita Myers	

 6/16/21

Secretary Robert L. Green, Chairman