



Interstate Commission for Adult Offender Supervision Executive Committee Meeting

MINUTES

**December 19, 2018 · 12:00 pm ET
Teleconference**

Members in Attendance:

1. Jeremiah Stromberg (OR), Chair
2. Hope Cooper (KS), Vice-chair
3. Gary Roberge (CT), Treasurer
4. Chris Moore (GA), Information Technology Chair
5. Russell Marlan (MI), Midwest Region Chair
6. Allen Godfrey (MN), Compliance Committee Chair
7. Roberta Cohen (NM), West Region Chair
8. Doug Clark (SD), Rules Committee Chair
9. Brody Burks (TX), South Region Chair

Members not in Attendance:

1. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio
2. Jacey Rader (NE), Training, Education and Public Relations Committee Chair
3. Dale Crook (VT), East Region Chair
4. Sara Andrews (OH), Past Chair Ex-Officio
5. Richard Barajas (NOVA), Ex-Officio

Guests:

1. Rick Masters, Legal Council
2. Joyce Karrfalt (Appriss)
3. Robert Maccarone (NY)
4. Matt Charton (NY)
5. Tina Balandran (TX)
6. Heather Clark (TX)

Staff:

1. Ashley Lippert, Executive Director
2. Allen Eskridge, Policy and Operations Director
3. Barno Saturday, Logistics and Administrative Coordinator
4. Mindy Spring, Administrative and Training Coordinator
5. Xavier Donnelly, ICOTS Project Manager
6. Kevin Terry, Website Analyst

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 12:00 pm ET;

Agenda and Minutes

Commissioner G. Roberge (CT) moved to approve the agenda. Commissioner R. Cohen (NM) seconded. Agenda approved.

Commissioner G. Roberge (CT) moved to approve the minutes from November 8, 2018 meeting. Commissioner B. Burks (TX) seconded. Minutes approved.

Discussion

States Requesting Continued IVINS Use: Executive Director A. Lippert stated that at the last Annual Business Meeting, the Commission voted to discontinue the IVINS agreement with Appriss. Since, three states have requested to continue their participation in IVINS and asked to continue the service while Appriss determines if they can filter IVINS for individual states.

J. Karrfalt, ICOTS project manager and Commission's point of contact for Appriss, noted that IVINS was pulling data from ICOTS. Due to the nature of the system, there was no ability to filter out individual states nor to define offenders belonging to individual states. She stated that Appriss shut down the IVINS phone line and public portal for all but the three states mentioned above. Appriss agreed to facilitate a workgroup with New York, Florida, and Virginia compact offices to investigate the viability of a system that would allow states to participate on an individual basis.

Commissioner R. Cohen (NM) asked for clarification on offender notifications if IVINS stays open for the requested states.

J. Karrfalt stated that if New York had a case with a state not participating in IVINS, then that state was still included in the notifications.

Commissioner R. Maccarone (NY) expressed his appreciation to the Executive Committee and Appriss. He urged the committee to let states pursue IVINS independently noting that if IVINS stays open, non-participatory states would have no requirement or obligation. He added that ICOTS data belonged to all states.

Legal Counsel R. Masters noted that the ICOTS data belongs to the states and the Executive Committee did not have any authority to make agreements to share this data. He added that at the last Annual Business Meeting, the Commission voted to discontinue IVINS service and instructed the Rules Committee to evaluate the victim notification rules and look for other options and solutions needed for the Compact. To reconsider its motion, the Commission would need to reconvene for a special meeting.

The committee decided that the only course of action was to work effectively with Appriss on discontinuing the IVINS service.

Illinois Accumulated Interest Payment: Executive Director A. Lippert stated that at their previous meetings the committee considered the issues surrounding Illinois late dues payments for the past four years. While Illinois has paid their FY 2019 dues, they have not paid the interest fees assessed to them nor has the Commission sought legal action for this payment. The Executive Committee approved proceeding with seeking legal action should Illinois not pay the accumulated interest by November 17, 2018. On December 11, Illinois' deputy chief legal counsel requested additional time to remit payment for the interest fees assessed.

Commissioner R. Marlan (MI) moved to grant Illinois an extension for payment to be due January 15, 2019. Commissioner G. Roberge (CT) seconded. Motion passed.

The national office will contact Illinois about the Executive Committee's decision.

ICOTS White Paper: Executive Director A. Lippert reminded committee members that at their last meeting, the committee asked Legal Counsel to issue a white paper outlining the legal implications of using ICOTS PDFs as official court documents.

The committee reviewed the white paper drafted by the Legal Counsel and the national office.

Legal Counsel R. Masters reminded the committee about a Supreme Court case from Vermont that raised a question about reliability of ICOTS documentation in revocation proceedings. The presented white paper attempts to address these issues.

Commissioner H. Cooper (KS) moved to adopt the white paper outlining legal implications of using ICOTS PDFs as official court documents. Commissioner R. Cohen (NM) seconded. Motion passed.

Technology Committee Report: Commissioner C. Moore (GA) stated that the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA) announced a Justice Reinvestment Initiative grant. This grant offers funding to support innovative methods to improve information sharing focused on "apprehending violent offenders and holding them accountable." Its goal is to create an automated subscription and notification system that would provide supervision officials with notifications of arrest warrants issued in other states. SEARCH, the National Consortium for Justice Information and Statistics, is looking for partners to participate in this proposal. The Technology Committee recommended the Executive Committee continue its discussion with SEARCH on NCIC warrant data and BJA grant proposal.

Commissioner B. Burks (TX) moved to work with SEARCH on NCIC warrant data and the BJA grant proposal. Commissioner G. Roberge (CT) seconded. Motion passed.

Commissioner C. Moore (GA) stated that the ICOTS development team and the national office met several times to begin mapping development milestones for the upcoming enhancement releases. Due to the holidays, no new enhancement releases are planned before the end of the year.

The Technology Committee recommends the Executive Committee approve ICAOS Administrative Policy for ICOTS Enhancement Requests. The policy defines procedures for referring and managing ICOTS enhancement requests authorized by the Commission and outlines the responsibilities for the request originator, Technology Committee, national office, and Commission.

Commissioner D. Clark (SD) moved to approve ICAOS Administrative Policy for Enhancement Requests for the Electronic System Authorized by the Commission as presented. Commissioner G. Roberge (CT) seconded. Motion passed.

Compliance Committee Report: Executive Director A. Lippert informed the committee that the Compliance Committee will meet in February 2019 to discuss ICAOS administrative policy changes and a template for filing a complaint.

DCA Liaison Committee Report: Executive Director A. Lippert stated that the DCA Liaison Committee met on November 19. The committee published its second Quarterly newsletter in December 2018.

Finance Committee Report: Commissioner G. Roberge (CT) stated that based on November's numbers, the Commission's expenses continue to incur as predicted. There are some minor outstanding expenses for the ABM to report, but the overall numbers are well under budget. He anticipates expenditures for legal work under defense litigation this year for two civil suits filed in Florida and California. The Commission is 42% into the fiscal year and is running 3.4% under budget.

Training Committee Report: Executive Director A. Lippert informed the committee that the next Training Committee meeting will be held on January 17, 2019.

Rules Committee Report: Commissioner D. Clark (SD) reported to the committee that the Rules Committee met on November 28 to discuss the sex-offender rules, victim notification rules, and their calendar for the year including a face-to-face Rules Committee meeting.

The Rules Committee decided to reconvene the sex-offender workgroup to consolidate the existing proposals from Florida, New York, and the sex-offender workgroup. The workgroup will present one final proposal for the committee's consideration.

To prepare for its spring face-to-face meeting, the Rules Committee decided to meet via WebEx in January, February and March.

ABM Workgroup Report: Commissioner H. Cooper (KS) stated that the workgroup will be meeting on February 5, 2019 in Austin, TX.

East Region Report: The region will meet on January 9 and February 13, 2019 to discuss potential rule proposals.

Midwest Region Report: The region will meet on January 8, 2019 to discuss the Midwest region rule proposals.

South Region Report: The region will meet on January 10, 2019 to discuss the South region rule proposals.

West Region Report: Commissioner R. Cohen (NM) scheduled a meeting on January 23, 2019 to discuss rule proposals, the issue of supervision in tribal regions, and the development of best practices.

Executive Director Report: Executive Director A. Lippert presented her report to the committee:

- Commissioners changes and vacancies
 - Jerry Powers is the new commissioner for California and Mary Kay Hudson is the new commissioner for Indiana.
 - The national office is waiting on appointment documents for Maine, Maryland, and Alaska.

- Complaints & Conflict Resolution
 - Arizona filed a complaint against Idaho for failure to issue a warrant on a misdemeanor offender. The matter has been settled without need to involve the Compliance Committee.
 - Arizona plans to file a complaint against Oklahoma for failure to issue warrants on compact offenders. This would be the second complaint filed against Oklahoma for not issuing warrants. If Arizona chooses to file its complaint, Oklahoma will be referred to the Compliance Committee.
 - California submitted its quarterly corrective action progress report
 - At the Compliance Committee's direction, the national office will review compliance dashboard data annually instead of quarterly, with email reminders sent to Commissioners on a quarterly basis.
 - Currently, the Commission is involved in two civil suits. Offenders filed civil suits in Florida and California. Both are ongoing with claims filed with the Commission's insurance carrier.

Legal Counsel R. Masters stated that both cases were destined for dismissal. He added that the California's case was in violation of two federal appeal decisions not permitting private right of actions against the Commission.

- NCJA partnership: Executive Director A. Lippert and J. Stromberg met with Chris Asplen, Executive Director, and Michael Schmidt, Vice Chair of the National Criminal Justice Association (NCJA) and discussed a potential partnership and study on Compact recidivism. NCJA assists criminal justice agencies in the development and implementation of criminal justice policy. Their members include corrections officials, courts, victim and witness services, and academics, as well as elected officials. NCJA will meet in January for their board meeting and invited ICAOS to attend and discuss how our two organizations can partner together. Chair Jeremiah Stromberg will attend the meeting on behalf of the Commission.

Adjourn

Commissioner G. Roberge (CT) moved to adjourn. Commissioner R. Cohen (NM) seconded.

The meeting adjourned at 1:20 pm ET.

Signature: *Jeremiah Stromberg*
Jeremiah Stromberg (Jan 16, 2019)

Email: jeremiah.p.stromberg@doc.state.or.us

Ex Cmt minutes from Dec 2018 to sign

Final Audit Report

2019-01-16

Created:	2019-01-16
By:	Barno Saturday (bsaturday@interstatecompact.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA5nXJt-3kBks2JtiVNjFiCI22SxHnbJy7

"Ex Cmt minutes from Dec 2018 to sign" History

-  Document uploaded by Barno Saturday (bsaturday@interstatecompact.org) from Acrobat
2019-01-16 - 10:01:37 PM GMT- IP address: 64.191.149.98
-  Document emailed to Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us) for signature
2019-01-16 - 10:01:39 PM GMT
-  Document viewed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)
2019-01-16 - 10:07:51 PM GMT- IP address: 159.121.206.77
-  Document e-signed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)
Signature Date: 2019-01-16 - 10:08:26 PM GMT - Time Source: server- IP address: 159.121.206.77