

 <p style="text-align: center;"><b>Interstate Commission for Adult Offender Supervision</b></p>	<p><b>Policy Number</b></p> <p style="text-align: center;"><b>01-2020</b></p>	<p><b>Page Number:</b></p> <p style="text-align: center;"><b>1</b></p>
<p style="text-align: center;"><b>ICAOS Administrative Policy</b></p> <p style="text-align: center;"><b>Emergency Guidelines</b></p>	<p><b>Dated: March 13, 2020</b></p> <p><b>Revised: March 24, 2020</b></p>	

## **I. Authorization**

Article I of the ICAOS BYLAWS provides that, the Commission “is established to fulfill the objectives of the Compact” through “the promulgation of binding rules and operating procedures” governing “oversight and coordination of offender transfer and supervision activities...”

Article VII §1 specifies that the Executive Committee “shall be empowered to act on behalf of the Commission during the interim between Commission meetings...”

## **II. Purpose**

This policy sets forth the functions and responsibilities for the Interstate Commission for Adult Offender Supervision’s (ICAOS) integrated, coordinated, and comprehensive response to states of emergency or other potentially hazardous conditions resulting in significant disruption to an individual state or multiple states’ abilities to fulfill Compact objectives and duties. These guidelines ensure consistent treatment of states by defining procedures during a state of emergency.

## **III. Scope**

This policy shall encompass all types of hazards and emergencies that impact fulfillment of Compact objectives by states, territories, and districts subject to the Compact. Such hazards and disruptive conditions may include but are not limited to:

- prolonged utility failures;
- natural disasters;
- hazardous material incidents;
- public health crises;
- terrorist or military attacks;
- cyber-attacks;
- presidential executive declarations of emergency; or,
- gubernatorial declarations of emergency.

#### **IV. Policy**

- A. The Interstate Compact Office of any state affected by an emergency shall, to the best of its ability, ensure that Compact duties related to oversight and coordination of offender transfer and supervision per terms of the Compact continue to the greatest extent possible.
- B. It is the responsibility of the affected Interstate Compact Office to communicate essential information to the National Office for appropriate distribution in an expeditious and reasonable fashion given emergent disruptive conditions.
- C. The National Office shall serve as a communications liaison and announce updates and information regarding emergent conditions and affected states.

#### **V. Procedures**

- A. Affected Interstate Compact Offices shall notify the National Office of closures and conditions affecting Compact objectives. Such notice must include:
  - 1. Specific contact information to allow for continued or ongoing communication;
  - 2. A written plan for continuation of vital Compact objectives, including facilitation of transfers, response to return inquiries, and management of transportation for returns;
  - 3. Date of effect, the authority by which changes are being adopted and specific operations affected.
- B. If the emergency prevents use of the Interstate Compact Offender Tracking System (ICOTS), the state affected by the emergency shall provide the National Office with a plan for continuation of vital operations, including submission of essential information consistent with Part A.
- C. To the greatest extent possible, each state must continue to follow ICAOS rules and procedures for managing, locating, and supervising interstate offenders in the event of an emergency.
- D. States must continue to supervise interstate offenders without distinction from supervision of intra-state offenders.
- E. Member states not affected by the emergency or all states when there is a federal declaration of emergency may suspend interstate transfers or returns into or out of the affected specified areas for a period not to exceed thirty (30) calendar days.
- F. The safety, health, and well-being of offenders, victims, staff, and communities shall be considered when making decisions and determining actions related to travel, transfers, and returns.

- G. States shall cooperatively work to address each case on an individual basis with an emphasis on communication designed to foster public safety and positive supervision outcomes.
- H. During cases involving emergency evacuations or relocations, member states who receive offenders from an affected area must notify the Compact Office in the home/sending state immediately and cooperate with the sending state of original jurisdiction regarding proper documentation for transfer.
- I. If essential transportation services are unavailable or severely limited due to government-imposed travel restrictions, airport closures, and/or staff availability, alternative methods for transportation and supervision must be considered and detailed in plans as required in Part A.
- J. In the event of a catastrophic cyber-attack, or pandemic or other emergency that affects a majority of states, timeframes may be extended beyond the rule-related timeframes set forth in the ICAOS Rules. Such extraordinary extensions shall be considered by the Executive Committee in light of the nature and scope of the emergency as well as other significant barriers to compliance within established time requirements.