



Interstate Commission for Adult Offender Supervision

Executive Committee Meeting MINUTES

April 15, 2020 • 12:00 pm ET
Teleconference

Members in Attendance:

1. Jeremiah Stromberg (OR), Chair
2. Gary Roberge (CT), Treasurer
3. Chris Moore (GA), Information Technology Chair
4. Mary Kay Hudson (IN), Rules Committee Chair
5. Russell Marlan (MI), Midwest Region Chair
6. Allen Godfrey (MN), Compliance Committee Chair
7. Julie Kempker (MO), South Region Chair
8. Roberta Cohen (NM), West Region Chair
9. Dale Crook (VT), East Region Chair
10. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio
11. Joselyn Lopez (WI), Training, Education and Public Relations Committee Chair

Members not in Attendance:

1. Hope Cooper (KS), Vice-chair
2. Bette Inch (NOVA), Ex-Officio

Guests:

1. Thomas Travis, Legal Counsel
2. Tina Balandran (TX)
3. Brandon Watts (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

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 12:01 pm ET; ten voting members were present, a quorum was established.

Agenda and Minutes

Chair J. Stromberg (OR) moved *New Business* to the top of the agenda

Commissioner D. Crook (VT) moved to approve the agenda as amended. Commissioner R. Cohen (NM) seconded. Agenda approved.

Commissioner G. Roberge (CT) moved to approve the minutes from March 24, 2020 meetings as drafted. Commissioner C. Moore (GA) seconded. Minutes approved.

New Business

Emergency Full Commission Meeting: Chair J. Stromberg (OR) reminded the committee about the upcoming emergency full Commission meeting scheduled for April 21, 2020. At the meeting, the Commission will vote on new Rule 2.111 granting the Executive Committee discretion to suspend enforcement of Commission rules or parts thereof during an emergency or crisis. The new rule requires states to define the authority for their suspensions and should promote a return to normalcy as quickly as possible. He added that members would still be obligated to perform all the duties required by the Compact.

The new rule will allow the Commission to act in advance when a crisis occurs. He noted that should the Commission not pass this rule, enforcement as outlined by the Commission prevails and states will be held accountable regardless of the crisis at hand.

The committee reviewed the emergency meeting's agenda.

Discussion

Compliance Committee Report: Commissioner A. Godfrey (MN) informed the committee that the Compliance Committee met on April 13. The committee discussed compliance dashboard indicators and the importance of considering a state's emergency situation before making any compliance decision. The committee made a recommendation to the Executive Committee to temporarily suspend enforcement of compliance dashboard indicators.

He added that currently a handful of states were working through a corrective action plan (CAP). The committee expects the states to continue with their CAPs and would monitor their compliance taking into consideration the current pandemic situation.

Commissioner D. Crook (VT) moved to temporarily suspend the dashboard compliance indicators until further notice. Commissioner C. Moore (GA) seconded. Motion passed.

Executive Director A. Lippert noted that the national office continued to monitor the indicators and Commissioners will still be receiving the compliance dashboard emails on quarterly basis.

Executive Director A. Lippert reminded the committee about the U.S. Virgin Islands' compliance status. The Executive Committee approved the territory's CAP at its last meeting. The Virgin Islands paid their dues and indicated they would remit the payment for their interest fee. If the payment is not received by May, the issue will be brought back to the Executive Committee.

DCA Liaison Committee Report: DCA T. Hudrlik (MN) stated that the DCA Liaison Committee met on April 5 with the large part of the meeting being devoted to COVID-19 discussions. Since the beginning of the crisis, the DCA regions started meeting on a regular basis, some meet every week, and others meet every other week or monthly. All regions were in agreement that it was important to document activities in ICOTS, even if a transfer request cannot be completed.

The committee also discussed the new rule amendments that went to effect on April 1. No issues have been reported so far. She noted that the COVID-19 crisis has overshadowed the new amendments release and implementation.

At the last meeting, the committee decided to send out a survey asking subscribers, if they want to continue receiving the DCA Quarterly newsletter, their recommendation on newsletter's publishing frequency, and their opinion on current and suggestions for new segments. The committee decided to postpone sending it out until after the end of quarantine.

The committee will meet again in June.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Finance Committee met on March 17. The committee reviewed the FY21 budget and recommended adoption of the FY22 budget. The Executive Committee will vote on the FY22 budget at its next meeting.

He added that currently, the Commission was 75% into the fiscal year and at 67% of spending. A big part of these savings came from cancelled face-to-face Executive Committee and Rules Committee meetings.

Commissioner G. Roberge (CT) stated that his biggest concern was the Commission's Vanguard account that went down 9% due to the pandemic.

Technology Committee Report: Commissioner C. Moore (GA) stated that today was the deadline to submit an ICOTS enhancement proposals. New rule amendments went into production in ICOTS on April 1. To date, no bugs have been reported.

Rules Committee Report: Commissioner M. Hudson (IN) stated that the Rules Committee met on April 7 and had a long discussion on warrant timeframes as outlined in ICAOS Rules. The committee agreed there was a conflict in the rules with respect to the return of offenders to sending states, and the sending state's timeframe to obtain a warrant for failure to appear in that state. The timeframe in Rule 5.101(a) approved at the 2019 ABM was in conflict with Rule 4.111 (f) for the same action. At the end of the discussion, Commission M. Hudson (IN) requested Legal Counsel T. Travis to prepare a legal analysis on a likely textual outcome in the event of dispute between these two rules.

The Rules Committee will meet again in July to review the legal counsel's recommendation and discuss the West Region's concept for managing domestic violence offenders.

Training Committee Report: Commissioner J. Lopez (WI) noted that the Training Committee had not met since the last Executive Committee meeting. She added that last week, the national office offered a webinar on *Interstate Compact Response to COVID-19*. The webinar provided information on AP 01-2020 Emergency Guidelines Policy, expectations during the pandemic, compliance concerns, rule timeframes, and state actions impacting the Compact. The national office posted a copy of the webinar's recording on the Commission's website. The webinars were well attended. The national office could not confirm the attendance of the following states: DE, MD, MT, NY, VI, VT, and WV.

East Region Report: Commissioner D. Crook (VT) stated that the East Region met in January and would meet again on April 28.

Midwest Region: Commissioner R. Marlan (MI) stated that the Midwest Region was scheduled to meet on May 6.

South Report: Commissioner J. Kempker (MO) stated that the South region met on February 6. The region will meet again on May 13.

West Region Report: Commissioner R. Cohen (NM) noted that the West Region was scheduled to meet on April 23. The region will discuss how they deal with the pandemic limitations in their states. The West Region DCAs met on regular basis to discuss problems and solutions in this difficult time.

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

- Iowa has been without a commissioner for over 60 days. If the state does not appoint their commissioner in the next 30 days, the matter will be referred to the Executive Committee for formal action per ICAOS AP 01-2015 Handling Commissioner Vacancies.
- The national office is getting ready for the full Commission meeting scheduled for April 21, 2020.
- The national office will present to NAAG and NDAA in June based on joint efforts with ICJ and APA.
- NCSC offered to help deliver training to judges on Commission's response to COVID-19. Chair J. Stromberg and Legal Counsel T. Travis will be the presenters.
- The national office continues meeting with FBI on the BJA grant. The project is moving forward and currently they are working on defining functional requirement for the notification service.
- Florida and District of Columbia were still working on their state council membership.
- The national office is working on a new state council reporting and tracking tool and will launch it by the end of the year.
- The national office updated the ICAOS personnel policies to reflect minor changes in employer sponsored benefits and health coverage based on our renewal. There are no substantive changes to the benefits.

Commissioner M. Hudson (IN) moved to approve the personnel policy as amended. Commissioner C. Moore (GA) seconded. Motion passed.

- Victim Advocate B. Inch informed the national office that she would be resigning from her position of NOVA Ex-Officio. She was working with NOVA on the appointment on the new representative.

Old Business

There was no old business.

Adjourn

Commissioner R. Cohen (NM) moved to adjourn. Commissioner D. Crook (VT) seconded.

The meeting adjourned at 1:07 pm ET.

Jeremiah Stromberg
Jeremiah Stromberg (May 21, 2020 16:14 PDT)






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Final Audit Report

2020-05-21

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