



Interstate Commission for Adult Offender Supervision

Compliance Committee Meeting MINUTES

January 13, 2020 · 11:00 am ET
Teleconference

Members in Attendance:

1. Allen Godfrey (MN), Chair
2. Merideth McGrath (CO)
3. Hope Cooper (KS)
4. Cathy Gordon (MT)
5. Amy Vorachek (ND)
6. Dale Crook (VT)
7. Diann Skiles (WV)
8. Suzanne Brooks (OH), Ex-officio

Members Not in Attendance:

1. Jacey Rader (NE)
2. Tina Balandran (TX), Ex-officio

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 A. Godfrey (MN) called the meeting to order at 11:00 a.m. ET

Roll Call

Executive Director A. Lippert called the roll. Seven out of eight voting members were present; a quorum was established.

Approval of Agenda and Minutes

Commissioner D. Crook (VT) moved to approve the agenda as presented. Commissioner D. Skiles (WV) seconded. Agenda approved as presented.

Commissioner D. Skiles (WV) moved to approve the minutes from November 18, 2019 as drafted. Commissioner H. Cooper (KS) seconded. Minutes approved as written.

Discussion

Missouri vs Illinois Complaint: Chair A. Godfrey (MN) stated that the committee needs to consider the matter and make recommendations to the Executive Committee as whether they find Illinois in default, request a corrective action, and assess a penalty.

The committee reviewed the formal complaint filed by Missouri against Illinois. The complaint alleged that on two separate occasions Illinois acted contrary to and in violation of Rules 5.101-1, 5.103-1, and 5.111 by allowing the state courts to release an interstate compact offender with an active Missouri warrant issued as nationwide with no bond.

Executive Director A. Lippert noted that Illinois' lost its Commissioner in the middle of the case.

After reviewing the documents, the committee decided that the complaint was not substantiated and better communication should have occurred between the states. The committee agreed that both states would benefit from applicable training to avoid similar situations in the future.

Commissioner D. Crook (VT) moved to find the Missouri vs Illinois complaint not substantiated. Commissioner H. Cooper (KS) seconded. Motion passed.

Commissioner D. Crook (VT) moved to provide education to Missouri and Illinois on "availability when pending charges exist". Commissioner D. Skiles (WV) seconded. Motion passed.

The US Virgin Islands: Executive Director A. Lippert informed the committee that the territory did not respond to the FY19 and FY20 annual audits and did not meet passing standards on dashboard reports. In August 2019, The Executive Committee approved sending a delegation to the Virgin Islands to provide support and guidance on how to resolve their ongoing noncompliance matters. Due to a hurricane, the trip was cancelled and instead Executive Director A. Lippert met with the commissioner of Virgin Islands and her representative at the Annual Business Meeting in San Diego, CA. At that meeting, she outlined to the commissioner, the pending non-compliance matters with the Virgin Islands. They discussed developing a correction action plan (CAP) to address these issues by December 1, 2019.

Executive Director A. Lippert added that Commissioner W. Testamark (VI) reached out to her after December 1 deadline to inquire what issues the territory needed to address.

The committee discussed the timeframe they should give the Virgin Islands to submit a corrective action and decided that 10 business days would be sufficient considering that the territory was informed about this obligation months prior to January 2020.

Commissioner C. Gordon (MT) moved to recommend the Executive Committee find the US Virgin Islands in default for compliance matters including failure to respond to the FY19 and FY20 annual audits, failure to meet passing standards on dashboard reports and failure to provide a corrective action plan. Further recommend the US Virgin Islands submit a corrective action within 10 business days or incur a \$3,000 fine. Commissioner D. Crook (VT) seconded. Motion passed.

Executive Director A. Lippert stated that the Virgin Islands had not paid their annual dues for FY19. She noted that their fiscal year began on October 1 and per Administrative Policy 05-2004 on State Dues “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 Virgin Islands’ 120 days expire on March 1.

Commissioner A. Vorachek (ND) moved to recommend the Executive Committee find the US Virgin Islands in default for failure to pay dues and require payment within 30 days or matter will be referred for legal enforcement. Commissioner C. Gordon (MT) seconded. Motion passed.

Oklahoma’s Progress Report: The committee reviewed Oklahoma’s first quarter progress report for its Corrective Action Plan.

Executive Director A. Lippert stated that Oklahoma’s report was due on December 1. Oklahoma submitted its report along with their explanation for its delay on December 20.

The committee found the report satisfactory.

Commissioner D. Crook (VT) moved to accept Oklahoma’s progress report. Commissioner H. Cooper (KS) seconded. Motion passed.

Old/New Business

Corrective Action Plans - New Mexico and Utah: The committee reviewed New Mexico’s Corrective Action Plan. The committee founds the plan satisfactory.

Commissioner H. Cooper (KS) moved to recommend acceptance of New Mexico’s corrective action plan. Commissioner C. Gordon (MT) seconded. Motion passed.

The committee reviewed Utah’s Corrective Action Plan. The committee founds the plan satisfactory, but not enough information on timelines and responsible parties.

Commissioner D. Crook (VT) moved to recommend acceptance of Utah’s corrective action plan (CAP) as long as details were provided by Utah in regard to timeframe and responsible parties for the CAP. Commissioner C. Gordon (MT) seconded. Motion passed.

Adjourn

Commissioner H. Cooper (KS) moved to adjourn. Commissioner A. Vorachek (ND) seconded.

Meeting adjourned at 11:55 a.m. ET.