



GENERAL COUNSEL REPORT

Interstate Commission for Adult Offender Supervision

2020 Annual Business Meeting

To: Commissioners of the Interstate Commission for Adult Offender Supervision

From: Tom Travis, General Counsel

The general counsel assists the Commission in rule-making processes and through the provision of legal guidance for issues arising under the compact, its bylaws, or administrative rules. Counsel promotes consistent application of and compliance with Commission requirements, including the coordination and active participation in enforcement litigation.

Legal Issues

This year, the Commission faced extraordinary circumstances resulting from the COVID-19 pandemic. Complications resulting from federal and state declarations of emergency created temporary disruptions in compliance with Commission requirements as outlined in compact Rules. However, the Commission swiftly acted, adopting both an emergency policy and rule (See, Rule 2.111) to address current and future crises.

Compliance Issues

This year, the Executive Committee reviewed several compliance matters. The territory of the U.S. Virgin Islands defaulted as a result of its failure to respond to two fiscal year annual audits, failure to address dashboard compliance standard deficiencies, and failure to remit annual dues. Accordingly, the Commission's executive and compliance committees found the territory in violation and default of legal obligations under the Compact. In response, the Executive Committee required the territory to submit a corrective action plan, remit required dues, and pay compulsory fines.

At present, the territory is in the process of completing its corrective action. And, it is current in dues assessment for the prior fiscal year.

Two states failed to meet passing standards on the annual dashboard review. In response, New Mexico and Utah submitted corrective action plans to address their noncompliance.

Finally, Oklahoma completed its corrective action. Completion of the plan addressed its failure to issue compact compliant warrants.

Litigation Matters

No litigation matters came before the Commission since the last annual business meeting.

Respectfully submitted,

Tom Travis

Tom Travis
General Counsel,
Interstate Commission for Adult Offender Supervision