



Interstate Commission for Adult Offender Supervision

Executive Committee Meeting MINUTES

September 14, 2020
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. Mary Kay Hudson (IN), Rules Committee Chair
6. Russell Marlan (MI), Midwest Region Chair
7. Allen Godfrey (MN), Compliance Committee Chair
8. Julie Kempker (MO), South Region Chair
9. Roberta Cohen (NM), West Region Chair
10. Dale Crook (VT), East Region Chair
11. Joselyn Lopez (WI), Training, Education and Public Relations Committee Chair
12. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio
13. John Gillis (NOVA), Ex-Officio

Guest:

1. Tom Travis, General Counsel

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. Kelsey Moore, Web Applications and Tech Support Manager

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 11:00 am ET; all voting members were present, a quorum was established.

Agenda and Minutes

Commissioner A. Godfrey (MN) moved to approve the agenda as presented. Commissioner G. Roberge (CT) seconded. Agenda approved.

Commissioner G. Roberge (CT) moved to approve the minutes from July 15, 2020 meeting as drafted. Commissioner C. Moore (GA) seconded. Minutes approved.

Discussion

Compliance Committee Report: Commissioner A. Godfrey (MN) updated the committee members on Oklahoma and the U.S. Virgin Islands compliance status.

He reminded the committee that on June 20, 2019, Oklahoma was found in default for failing to issue compact compliant warrants. On September 5, 2019, the Executive Committee accepted Oklahoma's corrective action plan (CAP) and agreed to hold in abeyance a \$10,000 fine until its completion on August 31, 2020. The national office received the final CAP update from Oklahoma. No further complaints were filed against Oklahoma during this timeframe. He asked the Executive Committee to consider accepting Oklahoma's CAP as complete and remit the imposed fine.

Commissioner D. Crook (VT) moved to accept Oklahoma's Corrective Action Plan as complete and remit the imposed \$10,000 fine. Commissioner G. Roberge (CT) seconded. Motion passed.

Commissioner A. Godfrey (MN) reminded the committee that the U.S. Virgin Islands was found in default on June 20, 2019 for failing to appoint a commissioner. The territory was found in default again on January 16, 2020 for failing to respond to two fiscal year annual audits, address deficiencies in dashboard compliance, failing to pay dues, and failing to provide a corrective action plan. On March 24, 2020, the Executive Committee accepted the U.S. Virgin Islands corrective action plan. On July 29, 2020, the national office asked for a written progress report for their CAP, which they subsequently provided. The territory is behind in successfully completing their corrective action.

Executive Director A. Lippert added that the territory submitted one out of two compliance audits. They failed to provide training as outlined in their CAP. In addition, there have been a number of communication issues between the commissioner and DCA.

The territory requested another extension to submit their CAP progress reports.

Commissioner A. Godfrey (MN) listed possible solutions to the non-compliance: consideration of imposing the \$3,000 fine that was held in abeyance for completion of CAP or imposing a \$10,000 fine to hold in abeyance for 60 or 90 days with the additional measure to increase collaboration and mediation between the commissioner and DCA.

Commissioner G. Roberge (CT) suggested imposing the fine to increase the territory's compliance level.

Commissioner J. Lopez (WI) noted that the territory was now in compliance with all but one area and there had been an increased level of involvement of the current commissioner. She suggested holding a fine in abeyance upon successful completion of the CAP in 60-90 days. She added that often, the islands have limitation in resources and commodities that are available on the main land making it more difficult to operate and stay in compliance.

The committee reached consensus to allow the territory additional 90 days to complete their CAP with added element for collaboration and mediation between the commissioner and DCA and impose the \$10,000 fine.

Commissioner G. Roberge (CT) moved to impose 90-day extension to the U.S. Virgin Islands and \$10,000 fine held in abeyance. Commissioner M. Hudson (IN) seconded.

Commissioner D. Crook (VT) recommended including the Governor's Office on compliance correspondence with the U.S. Virgin Islands noting that often commissioners use it as a leverage to get things moving.

Chair J. Stromberg (OR) requested to amend the motion by adding "and copy the U.S. Virgin Islands Governor's Office on all correspondence moving forward".

Commissioner G. Roberge (CT) and Commissioner M. Hudson (IN) agreed with the amendment to the motion.

Motion passed.

DCA Liaison Committee Report: DCA T. Hudrlik (MN) stated her committee has not met since the last Executive Committee meeting. The committee assisted the ABM Planning Workgroup and the Training Committee with planning of the 2020 DCA Training Institute sessions. The committee members will be presenting at the DCA Empowerment session tomorrow.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Commission remains in solid financial health. Its saving account had \$1,800,000 and the checking account had \$200,000. The Vanguard investment account reached \$2,044,000, which was a 14% increase since September 2019.

The Commission finished the FY 2020 year under budget as anticipated.

The Commission successfully completed a financial audit by an independent auditor. The auditor found the Commission in good financial status and provided a clean and unmodified report. The audit report is included in the FY 2020 Annual Report.

Commissioner G. Roberge (CT) stated that the Commission did not have a policy in place governing its investments. The committee recommended the approval of *Administrative Policy 02-2020 on Investments* drafted by the national office. The policy provided the Commission's investment objectives and defined responsibilities for managing the Commission's investments with target asset allocations, including permissible investments and diversification requirements.

Commissioner D. Crook (VT) moved to adopt *Administrative Policy 02-2020 on Investments* as presented. Commissioner A. Godfrey (MN) seconded. Motion passed.

Technology Committee Report: Commissioner C. Moore (GA) presented his report to the committee:

ICOTS Bugs/Issues - Some users reported an issue on August 4, 2020 with uploading attachments to compact activities. The error was not consistent across web browsers, therefore it was not a repeat of the last upload issue. The national office confirmed with everyone who submitted tickets (10 total) that they no longer had the error. Appriss is taking steps to make sure it does not happen again.

ICOTS Help Points - The first 129 help points went live in ICOTS on July 15, 2020. The next set of 131 help points will go live on September 16, 2020. The final 72 help points will be launched later this fall.

Enhancement Requests - Appriss sent the statement of work with associated cost break downs for all seven proposed enhancements on July 23, 2020. The total for all of the development work comes to \$69,270. Which is \$19,270 over the annual enhancement budget. The Technology Committee met and decided to withdraw one enhancement to stay within the budget. The enhancement not being proposed for vote allowed users to choose and respond to more than one Compact Action Request. It was priced at a little over \$30K.

Website redesign project - The national office is working on a complete redesign of the ICAOS website. The project will bring the website into compliance with ADA standards, simplify navigation, consolidate some overlapping content areas, and provide a clean and modern look.

Rules Committee Report: Commissioner M. Hudson (IN) stated that the Rules Committee's top agenda item was the warrant timeframes. She added that if there were a proposal to make changes to current warrant timeframes in the rules, it was important to deliver a proposal that would help states to be successful with their warrants process, rather than making the states frightened to be held accountable if they have little control over their judicial system.

Commissioner J. Lopez (WI) noted the importance of building and providing appropriate education addressing public safety for the Commission's stakeholders involved in the warrant process.

Training Committee Report: Commissioner J. Lopez (WI) stated that the Training Committee approved the use of a needs assessment to collect information for developing ABM sessions and workshops specific to Commission needs while addressing the most pressing and emerging issues. The Commission members would receive the assessment after the 2020 ABM to establish objectives for the 2021 ABM.

ABM Workgroup Report: Vice-chair H. Cooper (KS) gave special recognition to the Executive Director and the national office staff for putting together the virtual business meeting. She also recognized the ABM Workgroup, DCA Liaison, and Training Committee members for putting together the content for the event. She was looking forward to the rest of the business meeting's sessions.

East Region Report: Commissioner D. Crook (VT) thanked the national office staff for support before and during the ABM East Region meeting. He stated that the East Region preferred the standard warrant timeframes and planned to continue the discussion, if the matter progresses into a rule proposal.

The East Region DCAs will be meeting in the upcoming months to discuss potential rule proposals. The East Region supports the current officers and appreciates their leadership. No new officer nominations were received.

Midwest Region: Commissioner R. Marlan (MI) stated that he was not able to attend the last Midwest Region meeting. He thanked Commissioner Godfrey (MN) for chairing the meeting.

Commissioner A. Godfrey (MN) stated that the Midwest Region discussed warrant timelines agreeing that it was a difficult task for many states as warrant issuance involves multiple stakeholders. The region also discussed the public safety aspect of the matter.

The region reviewed ICOTS enhancements, and the members gave their COVID-19 state updates.

South Report: Commissioner J. Kempker (MO) stated that the South Region had a very robust and lively discussion at its meeting last week. DCA Strickland led the warrant timeline discussion. Some states expressed their concerns about a proposal for 15 business days, because they have to rely on judiciary to comply with timeframes.

The region also discussed the discretionary transfer rates and new rule amendment deadline. The region is thankful to the current officers and their guidance and had no new officer nominations.

She thanked the national office staff for continuous support before and during the meeting.

West Region Report: Commissioner R. Cohen (NM) stated that the West Region too had a very dynamic discussion on the warrant timeframes led by Commissioner Littler. The states were split on their decision with the 15 day timeframe. California expressed difficulties complying with the 15 day timeframe. In addition, the region discussed the discretionary cases transfer rate and the new rule amendments deadline. The region was appreciative of its current officers and supports their nominations.

Executive Director Report: Executive Director A. Lippert expressed her appreciation to the chairman and committee chairs for their leadership through this difficult year.

She thanked the national office staff for shifting the gears to host a virtual business meeting. She noted that over two hundred people have registered for the meeting, about one hundred more than an in person business meeting. She expects a full participation, with the exception of Louisiana's Commissioner, who was retiring and would not attend the general session.

At the last meeting, the Executive Committee approved the national office's transition to a virtual work environment on a permanent basis. They set up their new address and have begun address changes with vendors. The national office shares office equipment and supplies with the Interstate Commission for Juveniles (ICJ). As ICJ's board deferred the decision to go into a virtual office environment until next year, the ICAOS national office is also preparing for separation with ICJ. The national office will take the month of October to digitize files, dispose of surplus office furniture, and move other equipment and supplies to storage.

The FY 2020 Annual Report was published and mailed to all states. It contains a good amount of data and analysis. States should contact the national office, if they need additional copies of the report.

Last September, the Commission launched CORE, the online compact encyclopedia reference. On October 1, the national office will launch CORE 2.0, which expands the search features to include hearing officer's guide, support and training articles, bylaws, and policies. In a normal year, CORE is the fifth most hit page on the site behind rules and training. Within CORE, the most often searched item is also rule or training related. In one year, CORE had over 300,000 searches.

Over the past several months, the national office has been working on developing an in-house learning management solution that will be managed on the Commission's website. Currently, the Commission pays over \$8,000 a year to host and manage the software. With the help of an outside web development company, the national office was able to develop its own software for half that cost. The new LMS will launch in early November. This was a one-time cost and the Commission will see an annual \$8,000 in savings moving forward.

Executive Director A. Lippert stated that the offender transfer numbers are returning to their pre COVID-19 level and recommended the Executive Committee discuss the factors for lifting the provisions for Emergency Rule 2.111 at its next meeting.

Executive Director A. Lippert stated that the national office continues to monitor current trends around discretionary transfers and the rise in their rejections. She will make recommendations in the upcoming months as to whether it is appropriate to conduct a formal audit in FY 2022 on discretionary transfers.

The national office conducted an end-user website survey and evaluated the Commission's website against current web practices. The survey revealed that the Commission's website could be improved to better serve its users. Later this month, the national office will launch a redesigned website that improves navigation, mobile responsiveness, accessibility, and general usability. The new website also ensures the digital content complies with the Web Content Accessibility Guidelines meeting requirements for users with disabilities.

Executive Director A. Lippert introduced K. Moore, Web Applications and Tech Support Manager, who presented the new ICAOS website design to the committee.

Victim Advocate Report: Victim Advocate J. Gillis thanked the Interstate Compact and National Organization for Victims Assistance (NOVA) for establishing an email account designed to facilitate victim communications. He stated that they have already assisted a victim from Tennessee, who used this email address to seek help protecting herself against a parolee from West Virginia.

Old/New Business

There was no old/new business.

Adjourn

Commissioner G. Roberge (CT) moved to adjourn. Commissioner H Cooper (KS) seconded.

The meeting adjourned at 12:42 pm ET.

Signature: *Jeremiah Stromberg*
Jeremiah Stromberg (Oct 27, 2020 07:43 PDT)

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






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Final Audit Report

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