



Interstate Commission for Adult Offender Supervision

Rules Committee Meeting MINUTES

October 8, 2020 - 2:00 pm ET

Teleconference

Members in Attendance:

1. Mary Kay Hudson (IN), Chair
2. Dori Littler (AZ), Vice-Chair
3. Rebecca Brunger (AK)
4. Amber Schubert (AR)
5. Chris Moore (GA)
6. Susan Gagnon (ME)
7. Amy Vorachek (ND)
8. Robert Maccarone (NY)
9. Turran Blazier (IN), Ex-Officio
10. Tracy Hudrlik (MN), Ex-Officio
11. Margaret Thompson (PA), Ex-Officio
12. Pat Odell (WY), Ex-Officio
13. Thomas Travis, Legal Counsel

Members not in Attendance:

1. Tim Strickland (FL), Ex-Officio

Guests:

1. Tina Balandran (TX)
2. David Gutierrez (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
6. Kelsey Moore, Web Applications and Tech Support Manager

Call to Order

Chair M. Hudson (IN) called the meeting to order at 2:01 pm ET. Executive Director A. Lippert called the roll. All voting members were present, a quorum was established.

Approval of Agenda and Minutes

Commissioner R. Maccarone (NY) moved to approve the agenda as presented. Commissioner D. Littler (AZ) seconded. Agenda approved.

Commissioner D. Littler (AZ) moved to approve the minutes from July 29, 2020 meeting as drafted. Commissioner C. Moore (GA) seconded. Minutes approved.

Discussion

The Rules Committee welcomed its new members and Chair M. Hudson (IN) asked the committee members to introduce themselves.

Old Business

Warrant Timeframes Workgroup: Commissioner D. Littler (AZ) informed the committee that the workgroup met in August and discussed surveying the states to gather feedback as to whether the Commission should consider a consistent timeframe in all rules or if it should remain independent based on circumstances. Since all four regions were meeting in the upcoming weeks, the workgroup decided to assign its members to lead a discussion on warrants in their respective region meetings, instead of sending out a survey.

She reminded the committee that the current rules had varying timeframes for issuing a compact compliant warrant from ‘upon receipt’ to ‘30 days’ and some rules requiring a warrant did not have a timeframe at all. The workgroup thought it would be beneficial for the Commission to move to a standard timeframe. She added that the workgroup was in favor of 15 business days as the standard timeframe for issuing warrants. While it was not unanimous across the regions, the majority supported the standard timeframe. It also became apparent that the warrant timeframes were mostly a probation issue and not parole.

The workgroup met again and agreed to propose a standard warrant timeframe of 15 business days. She presented a rule package for committee review and consideration. The package included amendments to six rules (2.110, 4.111, 5.101, 5.102, 5.103 & 5.103-1) expanding the timeframe for issuing compact compliant warrants to a standard 15 business days, when an offender fails to arrive/return as instructed or is subject to retaking. In addition, the proposal included an ICOTS enhancement to create new managed processes for tracking warrants for compact offenders enhancing the Commission’s efforts and goals to provide effective tracking and communication.

Commissioner D Littler (AZ) noted that the package would improve stakeholders’ training efforts by eliminating confusion over various timeframes in current rules, as well as ensuring the timeframe supports public safety and efficient actions for managing offender movement.

Chair M. Hudson (IN) asked what specific concerns states expressed regarding the 15-business day timeframe.

Commissioner D. Littler (AZ) stated that the West Region held an informal poll and was split between the 15 business days and 20 business days. States were concerned about the 15-business day timeframe because they had problems issuing their own warrants in the same timeframe. She stated that this issue could be resolved with training and education of stakeholders.

Commissioner D. Littler (AZ) reminded the committee that most states did not comply with current timeframes based on the results of the last year’s compliance review.

DCA T. Blazier (IN) stated that in Indiana the biggest problem was not issuing a warrant, but entering it correctly into the NCIC system.

She added that some states reported that in their rural areas, it could take a traveling judge up to 30 days to issue a warrant.

DCA T. Blazier (IN) suggested reaching out to states individually to learn about their obstacles to comply with the 15-business day timeframe.

Commissioner A. Schubert (AR) stated that in the South Region, most states, including Arkansas, would not be able to comply with the 15-business day timeframe.

Chair M. Hudson (IN) stated that regardless whether the Rules Committee moves forward with the proposed changes or not, states needed help to comply with the warrant timeframes and the Rules Committee needed to identify solutions.

Commissioner C. Moore (GA) noted that the bigger states had more difficulties complying with the 15-business day timeframe. He added that the ability to comply depended on the trigger of the warrant process.

He stated that no timeframe changes were necessary in Rule 5.101 *Discretionary Retaking by the Sending State*.

Commissioner D. Littler (AZ) noted that states could retake without issuing a warrant under Rule 5.101. She added that her biggest concern was Rule 5.103-1 *Mandatory Retaking for Offenders Who Abscond*.

Commissioner R. Maccarone (NY) suggested reaching out to a national association of judges to distribute the warrant related information to judges. New York supports the 15-business day timeframe.

He emphasized the importance of managing the warrant process in ICOTS and collecting the data. In addition, the Commission should provide technical assistance to states in need.

Commissioner C. Moore (GA) noted that establishing a 20-business day warrant timeframe did not prevent states from issuing warrants in 15 days or less.

Chair M. Hudson (IN) agreed with Georgia that if all Commission members could agree on one timeframe, such as 20 business days, she would vote for it. She wondered whether some states would vote against the 20-business day timeframe because of the public safety aspect.

The committee decided to continue its conversation in November.

New Business

Executive Director A. Lippert noted that national office had not received any new rule proposals for the Rules Committee's consideration.

Adjourn

Commissioner R. Maccarone (NY) moved to adjourn. Commissioner C. Moore (GA) seconded.

The meeting adjourned at 3:09 pm ET.