



Interstate Commission for Adult Offender Supervision

Executive Committee Meeting MINUTES

December 9, 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. Roberta Cohen (NM), West Region Chair
9. Dale Crook (VT), East Region Chair
10. Joselyn López (WI), Training, Education and Public Relations Committee Chair
11. Tracy Hudrlik (MN), DCA Liaison Committee Chair, Ex-Officio
12. John Gillis (NOVA), Ex-Officio

Guest:

1. Suzanne Brooks (OH)
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
6. Kelsey Moore, Web Applications and Tech Support Manager

Call to Order

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

Agenda and Minutes

Commissioner C. Moore (GA) moved to approve the agenda. Commissioner R. Marlan (MI) seconded. Agenda approved.

Commissioner A. Godfrey (MN) moved to approve the minutes from October 21, 2020 meeting as drafted. Commissioner G. Roberge (CT) seconded. Minutes approved.

Discussion

Compliance Committee report: Commissioner A. Godfrey (MN) stated that the Compliance Committee was scheduled to meet on December 14 to review the FY22 compliance audit and compliance status of the U.S. Virgin Islands and Oklahoma.

Commissioner A. Godfrey (MN) reminded the committee about the imposed 90-day extension to the U.S. Virgin Islands to complete their Corrective Action Plan (CAP). To date, the territory met the CAP requirements except for providing documentation of efforts to improve collaboration and communication between the commissioner and DCA. The territory had until December 15 to complete their corrective action.

Executive Director A. Lippert notified the Commissioner of the U.S. Virgin Islands about the missing documentation on December 7.

She added that based on the compliance dashboard, the territory was below 80% threshold only in one category - Reporting Instruction Replies (RIR). She noted that it could have been difficult to raise the RIR numbers as the territory had only 10 activities this year.

The committee recognized the diligent efforts made by the territory to complete most of the requirements set out in the CAP.

Commissioner D. Crook (VT) moved to approve the U.S. Virgin Islands Corrective Action Plan as complete and remit the \$10,000 fine. Commissioner C. Moore (GA) seconded.

Commissioner M. Hudson (IN) noted that if the committee accepts the incomplete CAP, the territory would not be required to complete any additional action.

After the discussion, the committee found the territory deficient in addressing failures of communication and collaboration between the Commissioner and Deputy Compact Administrator. Because the noted challenges affected the territory's ongoing compliance issues, the committee decided to extend the deadline for the territory to specifically address communication and collaboration between the commissioner and DCA.

Motion withdrawn.

Commissioner A. Godfrey (MN) moved to accept the U.S. Virgin Islands Corrective Action Plan and remit all but \$500 of the imposed \$10,000 fine to be held in abeyance for 30 days to allow for completion of the remaining requirement for communication and collaboration between the commissioner and DCA. Commissioner M. Hudson (IN) seconded. Motion passed.

DCA Liaison Committee Report: DCA T. Hudrlik (MN) stated her committee met in November and discussed the December DCA Quarterly newsletter, new rule proposals, as well as a new DCA best practices and Dashboard usage program.

DCA T. Hudrlik (MN) noted that the last several compliance audits were focus on ICOTS data entry and user management. The DCA Best Practice & Dashboard Usage Program would focus on establishing state's procedures to ensure ICOTS data was accurate and used properly

throughout the year. With help from the national office, the DCA Liaison committee would share best practices and provide a practical learning opportunity for utilizing the dashboards.

The committee was in favor of the proposed program.

Commissioner G. Roberge (CT) moved to approve the DCA Best Practice & Dashboard Usage Program as presented. Commissioner A. Godfrey (MN) seconded. Motion passed.

DCA T. Hudrlik (MN) noted that DCA S. Brooks (OH) would be taking over the DCA Liaison Committee on January 1, 2021.

The committee members expressed their appreciation to DCA Hudrlik's commitment and service as the DCA Liaison Committee chair.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Commission remained in good financial health. Its saving account had \$1,690,000 and its Vanguard investment account had \$2,123,000. All states submitted their FY21 annual dues.

He added that the Finance Committee met in November to review the Commission's budget.

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

ICOTS Bugs/Issues - In October, the national office received information about an issue that involved use of the "%" character in the text box on the violation report, which kept the users from submitting the activity. Appriss addressed the issue on October 30, 2020.

FY 2021 Enhancement Requests - The first development phase for FY21 ICOTS enhancements will start in the middle of January 2021. All enhancements will be in production by June 20, 2021.

FY 2020 Rue Changes – The Technology Committee will meet next month to discuss warrant-tracking changes to ICOTS.

New Learning Management System - The national office launched a new Learning Management System (LMS) on November 6, 2020. The new LMS is much more user friendly and will save the Commission in ongoing costs.

Training Committee Report: Commissioner J. López (WI) stated that the Commission would host a workshop at the 2021 APPA Virtual Winter Training Institute.

Rules Committee Report: Commissioner M. Hudson (IN) stated that the Rules Committee met on November 17 and approved the Workgroup on Warrant Timeframe's recommendation to expand 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.

The Rules Committee had not received any other rules proposals at this time.

Due to travel restrictions related to COVID-19, the committee will have two two-hour meetings in February and March instead of its one face-to-face meeting.

East Region Report: Commissioner D. Crook (VT) stated that the East Region was meeting tomorrow. At this time, the region was not proposing any new rule amendments.

Midwest Region: Commissioner R. Marlan (MI) stated that the Midwest Region would meet on January 14 to discuss new rule amendments.

South Report: Commissioner J. Kempker (MO) stated that the South Region was meeting on January 11 to discussed changes to Rule 3.103.

West Region Report: Commissioner R. Cohen (NM) stated that the West Region meeting would meet on January 14. At this time, the region was not proposing any new rule proposals.

ABM Workgroup Report: Vice-chair H. Cooper (KS) stated that instead of its face-to-face meeting, the ABM workgroup scheduled three virtual meetings in December, January, and March.

Victim Advocate Report: Victim Advocate J. Gillis stated that he had no major updated at this time.

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

- She reminded the committee that in April 2020, the Commission adopted Rule 2.111 Emergency Suspension of Enforcement to ensure the continued processing of offender applications despite the global pandemic. Subsequently, the Executive Committee invoked the rule, suspending enforcement of timelines in chapters 3, 4 and 5 of the Commission's rules. This action provided states with the ability to address urgent and emerging issues resulting from emergency declarations and state closures.

Executive Director A. Lippert presented maps outlining states' COVID-19 related restrictions on March 30, June 11, October 15, and November 30. While most of the states had restrictions in place on March 30, only a handful of states had restrictions in place on November 30.

Executive Director A. Lippert displayed two charts - *transfer reply decision by week* chart that showed business operations were getting back to normal and the *rejection rate by week* chart that showed the rejection rates were spiking in both mandatory and discretionary cases. She stated that the data indicated that corrections agencies were operational. She presented a plan with a recommended date to rescind the applicability of rule 2.111 on April 1, 2021 and included steps states should take to prepare.

Executive Director A. Lippert added that should thresholds change requiring Commission action, the Executive Committee may consider a response similar to the now established precedent. In the interim, ICAOS Administrative Policy 01-2020, Emergency Guidelines, allows the imposition of limited emergency provisions.

The committee was in support of the plan to rescind the applicability of Rule 2.111 on April 1, 2021.

Commissioner G. Roberge (CT) moved to approve the plan for rescinding the applicability of Rule 2.111 and publish it in January for the Commission. Commissioner D. Crook (VT) seconded. Motion passed.

Executive Director A. Lippert will inform the Commission about the Executive Committee decision in January 2021.

- Executive Director A. Lippert presented site location options for the 2022 Annual Business Meeting.

New York City, NY

- Hilton Midtown Hotel with the estimated budget of \$306K. The hotel offered \$269++ lodging rate, which is lower than the current government per diem rate of \$286++. The hotel is located near the Times Square in Manhattan.
- Crowne Plaza Times Square Manhattan hotel with the estimated budget of \$316K. The hotel offered \$272++ lodging rate, which is lower than the current government per diem rate of \$286++. The hotel is located on Times Square in Manhattan.

Boston, MA

- The Westin Copley Place Boston Hotel with the estimated budget of \$305K. The hotel offered a government per diem rate of \$309. The hotel is located in downtown.

Executive Director A. Lippert stated that 2022 was a DCA Training Institute year and the Commission's 20th anniversary. Because of the pandemic, the national office was able to procure proposals from high-in-demand cities as Boston, MA and New York City, NY. Since, it was difficult to complete a site visit at this time; the national office will add a clause to finalize the contract upon a successful site visit at a later date. She noted that the estimated total for the meeting was higher than usual due to a higher government per diem lodging rate and the addition expenditure related to the DCA Training Institute.

The meeting dates coincided with the Jewish holiday Rosh Hashanah. However, the Commission had a precedent of a well-attended annual business meeting during the same holiday in 2019.

The committee was in support of the proposed locations.

Commissioner J. Stromberg (OR) moved to select Crown Plaza Times Square Manhattan as the first-choice location for the 2022 ABM per successful site visit with the second choice being Hilton Midtown Hotel. Commissioner G. Roberge (CT) seconded. Motion passed.

- Executive Director A. Lippert stated that the purpose of the state council policy AP 3-2009 was to provide evidence of an existing and functioning state council. To better track state's compliance with the statutory requirement to form a state council and to incentivize its use, the national office recommends the following changes to the existing policy:

1. Clarify the council member's role as to which group is represented as stated in Article IV.
2. Utilize a new, more efficient, and more relevant online form for states to submit their annual state council report. This would standardize the information reported and eliminate errors.
3. Eliminate the requirement to provide the date of appointment and length of term. This data is not used and the frequency of turnover makes tracking problematic.

She added that the national office developed an online state council reporting form. She demonstrated the form to the committee. The form pre-populates state's existing data simplifying the process for making corrections or additions.

Commissioner H. Cooper (KS) moved to amend the State Council policy as proposed. Commissioner J. López (WI) seconded. Motion approved.

- Executive Director A. Lippert presented a compact study workgroup proposal for committee's review and consideration. With the 20th anniversary of the Commission approaching, the workgroup will look to conduct a study that analyzes the compact's success. Specifically, the workgroup will define the goals of a study, measures for success, and data that will help inform future decisions and strategies for moving the Commission forward. Chair Stromberg will chair the workgroup.

Commissioner H. Cooper (KS) moved to approve the compact study workgroup as presented. Commissioner R. Marlan (MI) seconded. Motion passed.

- Executive Director A. Lippert reminded the committee that in preparation for the Commission's 20th year anniversary, the national office in collaboration with the National Institute of Corrections (NIC) had been working on a documentary that provided a general context and history of the Compact. NIC had committed to fund this project. They posted the statement of work on November 23 for 60 days and planned to select the film crew by end of January.
- Executive Director A. Lippert updated the committee on the JRI project for the Commission to establish a process to notify states when a warrant was issued on a compact offender. Kansas is a pilot state for this project. While the nation office is still working to obtain an agency ORI number from the FBI, moving forward with Kansas under their state issued ORI is a way to move the project forward.

She added that during the office move while digitizing the files, she located an old letter from the FBI asserting that ICAOS was a criminal justice agency. The national office provided this along with additional documentation to the FBI asking for a reconsideration of the ORI request.

- Executive Director A. Lippert informed the committee that she is taking part in a group initiated by APPA to look at way justice agencies can collaborate on racial equity initiatives. The partnership is developing a mission and vision statement to share with each agency's

respective boards in a collaborative for addressing racial inequities within the justice system. She will provide more details on this matter at the future meetings.

- The national office has closed its physical office space by digitizing files, disposing of surplus office furniture, and moving equipment and supplies to storage. At this time, the national office is separating its software agreements with the Interstate Commission for Juveniles.
- The national office was working on transitioning to a new software. This customer relation management software will improve internal operations for the national office and allow for the use of other software applications that complement their being in a virtual office environment.
- Executive Director A. Lippert stated that Commissioner C. Gutherz (MS) and Commissioner P. Fremin (LA) retired and that a new California Commissioner was appointed effective Jan 1, 2021.

Newly appointed commissioners were Sally Reinhardt Stewart (NE), Nathan Blevins (MS), and Guillermo Viera Rosa (CA).

Old/New Business

There was no old/new business.

Adjourn

Commissioner C. Moore (GA) moved to adjourn. Commissioner D. Crook (VT) seconded.

The meeting adjourned at 1:41 pm ET.


Jeremiah Stromberg (Jan 20, 2021 13:40 PST)

ExCmmttMinutes_Dec2020_Approved

Final Audit Report

2021-01-20

Created:	2021-01-20
By:	Barno Saturday (bsaturday@interstatecompact.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAARoTYbyz-6nbCqsuH7ioET7P9FxQALXkF

"ExCmmttMinutes_Dec2020_Approved" History

-  Document created by Barno Saturday (bsaturday@interstatecompact.org)
2021-01-20 - 9:08:20 PM GMT- IP address: 74.136.72.127
-  Document emailed to Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us) for signature
2021-01-20 - 9:08:44 PM GMT
-  Email viewed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)
2021-01-20 - 9:39:57 PM GMT- IP address: 71.59.214.42
-  Document e-signed by Jeremiah Stromberg (jeremiah.p.stromberg@doc.state.or.us)
Signature Date: 2021-01-20 - 9:40:17 PM GMT - Time Source: server- IP address: 71.59.214.42
-  Agreement completed.
2021-01-20 - 9:40:17 PM GMT