



Interstate Commission for Adult Offender Supervision

Compliance Committee Meeting MINUTES

December 14, 2020 · 11:00 am ET
Teleconference

Members in Attendance:

1. Allen Godfrey (MN), Chair
2. Merideth McGrath (CO)
3. Hope Cooper (KS)
4. Gloriann Moroney (MA)
5. Cathy Gordon (MT)
6. Sally Reinhardt-Stewart (NE)
7. Amy Vorachek (ND)
8. Dale Crook (VT)
9. Diann Skiles (WV)
10. Jacey Rader (NE), Ex-officio
11. Suzanne Brooks (OH), Ex-officio
12. Tina Balandran (TX), Ex-officio

Guests:

1. 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 A. Godfrey (MN) called the meeting to order at 11:01 a.m. ET. Executive Director A. Lippert called the roll. All members were present; a quorum was established.

Chair A. Godfrey (MN) welcomed new committee members – Merideth McGrath (CO), Gloriann Maroney (MA), and Sally Reinhardt-Stewart (NE).

Approval of Agenda and Minutes

Commissioner D. Crook (VT) moved to approve the agenda as presented. Commissioner H. Cooper (KS) seconded. Agenda approved as presented.

Commissioner A. Vorachek (ND) moved to approve the minutes from April 13, 2020 as drafted. Commissioner M. McGrath (CO) seconded. Minutes approved as written.

Discussion

FY22 Audit Update: Chair A. Godfrey (MN) reminded the committee that last March, the Executive Committee voted to postpone the FY21 compliance audit until the next year due to the nationwide COVID-19 health crisis.

At its October meeting, the Executive Committee approved an FY22 audit recommendation. The proposed audit will assess state data related to discretionary and mandatory case acceptance rates as compared to the national average to promote a continued emphasis on offender success and adherence to ICAOS Rules.

Executive Director A. Lippert noted that the national office saw a gradual increase in the rejection rates as well as invalid case rejections on the national level. The audit would analyze documentation for each state relative to its performance as a sending and receiving state. In addition, it would identify any new trends since the 2016 discretionary case assessment and factors affecting acceptance rates for both mandatory and discretionary cases. The 2016 assessment revealed that 80% of rejections were avoidable, however acceptance rates for discretionary cases since have slightly increased. The goal of this assessment was to look at common factors impeding acceptance rates.

Minnesota, Maine, and Colorado agreed to participate in a pilot project to give the national office comprehensive understanding of the process before launching it to the full Commission. The official audit would start on July 1, 2021.

The committee decided to meet in April or May 2021 to review the pilot states assessment results.

Old Business

Oklahoma Compliance Update: Chair A. Godfrey (MN) reminded the committee that in 2019, the Executive Committee found Oklahoma in default for failing to issue compact compliant warrants and agreed to hold in abeyance a \$10,000 fine until the successful completion of a corrective action plan (CAP). The national office received the final CAP update from Oklahoma in August 2020. With no further complaints against Oklahoma during this timeframe, the Executive Committee accepted Oklahoma's CAP as completed and remitted the imposed \$10,000 fine.

The U.S. Virgin Islands Compliance: Chair A. Godfrey (MN) stated that in September 2020, the Executive Committee imposed a 90-day extension to the U.S. Virgin Islands to complete their CAP. 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.

He added that the Executive Committee recognized the diligent efforts made by the territory to complete most of the requirements set out in the CAP. It accepted the territory's CAP and remitted 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.

New Business

Rule 2.111: Executive Director A. Lippert stated that the Executive Committee approved a plan to prepare states for rescinding the applicability of Rule 2.111 on April 1, 2021. The committee will make the formal decision in February or March to rescind the rule. The national office will announce the date to rescind 2.111 and publish the plan in January 2021.

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. In addition, she displayed two charts indicating that corrections agencies were operational. The *transfer reply decision by week* chart showed business operations were getting back to normal and the *rejection rate by week* chart showed the rejection rates were spiking in both mandatory and discretionary cases.

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.

Chair A. Godfrey (MN) thanked the committee members and the national office staff for their service.

Adjourn

Commissioner C. Gordon (MT) moved to adjourn. Commissioner S. Reinhardt-Stewart (NE) seconded.

Meeting adjourned at 11:50 a.m. ET.