



Interstate Commission for Adult Offender Supervision
Face-to-Face Executive Committee Meeting MINUTES

April 5, 2022 @ 8:30 a.m. ET
The Brown Hotel, Louisville, KY

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. Sally Kreamer (IA), Midwest Region Chair
7. Allen Godfrey (MN), Compliance Committee Chair
8. Julie Kempker (MO), South Region Chair
9. Mac Pevey (WA), West Region Chair
10. Dale Crook (VT), East Region Chair
11. Joselyn López (WI), Training, Education and Public Relations Committee Chair
12. Suzanne Brooks (OH), DCA Liaison Committee Chair, Ex-Officio

Members not in Attendance:

13. John Gillis (NOVA), Ex-Officio

Guests:

1. Thomas Travis, ICAOS 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. Drake Grecott, Web Development Manager

Call to Order

Chair J. Stromberg (OR) called the meeting to order at 8:30 a.m. ET; all voting members were present; a quorum was established.

Agenda and Minutes

Commissioner G. Roberge (CT) moved to approve the agenda as presented. Commissioner D. Crook (VT) seconded. Motion approved.

Commissioner A. Godfrey (MN) moved to approve the minutes from February 16, 2022, meeting as drafted. Commissioner M. Pevey (WA) seconded. Motion approved.

Discussion

Compliance Committee report: Commissioner A. Godfrey (MN) stated that the Compliance Committee met on March 17 and discussed the national report for the FY 2022 Assessment, FY 2023 Compliance Audit, standards measured by compliance dashboards, the 2021 state council report, and Kentucky's compliance response.

FY 2022 Assessment Results

Commissioner A. Godfrey (MN) asked the national office to present on the FY 2022 Assessment findings.

Training Coordinator M. Spring reminded the committee that in 2016, the Commission conducted a discretionary transfer assessment. According to the findings, failing to verify transfer plans and provide sufficient justification for transfer requests resulted in a rejection of nearly 80% of discretionary transfer requests. The purpose of the FY 2022 assessment was to review the extent of change following the 2016 assessment and identify common factors impeding present-day acceptance rates.

She noted that the FY 2015 data included the entire fiscal year. The FY 2022 audit used data from April of FY 2021 for all mandatory and discretionary transfers.

The total acceptance rates slightly increased from 76.3% in FY 2015 to 79.1% in FY 2021 with discretionary rates increasing by 9%.

Training Coordinator M. Spring stated that similar to FY 2015, more than 70% of rejections in FY 2022 resulted from a failure to verify transfer plans and provide sufficient justification for transfer requests. Other rejection reasons included: offenders being in the receiving state without permission; technical rejections; offenders absconded during pending transfer investigation; offenders being not in substantial compliance/new charges; and offenders returned or changed their mind about the transfer.

As part of the audit, states completed a self-assessment to provide ideas for improving acceptance rates. Recommendations from the self-assessment include focusing on training; outgoing transfer verification; incoming transfers procedures; improving communication between states; as well as technical suggestions for ICOTS enhancements.

She noted that one of the pilot states changed its verification process and had supervisors review all outgoing cases before sending them to the receiving state for consideration. This state saw significant improvement of their acceptance rates in just a month.

Training Coordinator M. Spring continued that in 2020, the Commission amended the sex offender definition and Rule 3.101-3 to reduce improper denials of sex offender transfers. An expected slight increase in the number of sex offender transfer requests occurred, however, the rejection rate for

sex-offender transfers did not improve. Transfer requests for sex-offenders in FY 2021 comprise 9% of all transfers requested and account for 20.5% of the total rejections.

Commissioner A. Godfrey (MN) stated that the Compliance Committee recommended sending states their acceptance stats twice a year starting on January 1, 2023, to educate and facilitate improvement of their acceptance numbers. This email will be sent separate from the quarterly compliance email to avoid confusion. In addition, the Compliance Committee suggested discussing the audit results at the region and DCA region levels.

Executive Director A. Lippert added that the ABM Planning Workgroup included two sessions on the FY 2022 assessment in this year's Annual Business Meeting agenda. On Monday of the meeting, DCAs will discuss best practices for improving outgoing transfer acceptance rates and on Wednesday, commissioners will debate the issue at the policy level.

Commissioner J. Kempker (MO) suggested that states include requirements for data verification in their internal policies and procedures.

Commissioner J. López (WI) stressed the importance of communication between states when dealing with difficult cases.

The committee agreed that the issue was with the sending state's quality and verification of their transfer plans. The committee discuss a need for setting a threshold for acceptance rates.

DCA S. Brooks (OH) was opposed to setting a numerical value for acceptance rate standards noting that it could force receiving states to accept inadequate transfer plans.

The committee discussed examining the compliance dashboard results twice a year when the national office starts sending acceptance and rejection rate compliance reports to commissioners. The committee agreed the national office would reach out to states that perform under set threshold and offer training and technical assistance to increase rates in a non-punitive approach.

FY 2023 Compliance Audit

Commissioner A. Godfrey (MN) noted that the Commission had ICOTS data exchanges with law enforcement agencies at the local, state, and federal levels. Additionally, several states use exchanges to import or compare ICOTS data with their state's offender management applications. The Commission must ensure that the data extracts contain valid, reliable, and timely information for our internal and external partners. Therefore, the Compliance Committee recommend the Executive Committee adopt the proposed FY 2023 Compliance audit to focus on the following ICOTS data elements: demographic; photo; junk and duplicate offender profiles; rejected cases; and offenders awaiting retaking.

Training Coordinator M. Spring noted that the DCA Dashboard program designed to promote dashboard usage among DCAs showed little progress in identifying and resolving data entry errors. The number of duplicate and junk offenders continued to rise, implying that states were not taking the necessary steps to ensure the accuracy of their ICOTS data.

Executive Director A. Lippert added that the national office uses a lot of resources to aid states with user cleanup in ICOTS. In the last quarter, the national office received 431 ICOTS help desk tickets. The top two ticket categories were associated with the user cleanup including the removal of duplicate offenders.

Commissioner S. Kreamer (IA) spoke for the proposal. She added that many states could use their undesirable audit results to request more resources from their departments. She noted that she had limited staff who did not have time for data cleanup.

Commissioner D. Crook (VT) moved to approve FY 2023 compliance audit proposal as presented. Commissioner J. López (WI) seconded. Motion passed.

Compliance Dashboard Survey

Commissioner A. Godfrey (MN) stated that per the Compliance Committee's request, the DCA Liaison Committee drafted a DCA survey to evaluate compliance measures to identify deficiencies and to determine what, if any, compliance standards should be added to compliance summary and quarterly emails. The committee will meet again on May 11 to review the survey's results and develop recommendations if needed.

Annual State Council Report

Commissioner A. Godfrey (MN) presented the state council report prepared by the national office to the committee for review and consideration. Based on the report, all but one state submitted a 2021 State Council Report to the national office. Most states met the policy requirement of having a state council with named members. Fifteen states did not report a meeting date. Ten states did not file meeting minutes or provided meeting dates. Several states lack sufficient representation to include members of the executive, judicial, and legislative branches as well as a victims' representative.

He noted that even though many states had an established state council, there was no expectation for them to meet. He asked the Executive Committee for direction to determine the Compliance Committee's role in this process.

The committee discussed challenges with establishing a functional state council including turnover problems, members engagements, and the value these meetings bring to states.

Commissioner D. Crook (VT) stated that even though his state council does not meet, he interacts with them on a regular basis throughout the year.

Commissioner J. Kempker (MO) noted that she was struggling to understand the value of having a state council.

Policy and Operations Director A. Eskridge noted that most of the time, states were struggling with governor's appointments to establish a full council and organizing meetings that accommodated everyone's schedule.

Commissioner H. Cooper (KS) said she strongly supports establishing a functional state council. When she became the commissioner, their state council was not operational. She worked hard to have committed and engaged members who find value in their meetings. The council meets on a quarterly basis. She added that her state council members go back to their local communities and divisions and start conversations on Interstate Compact matters.

Commissioner J. Kempker (MO) asked the committee to include information on the importance of a functional state council on the 2022 ABM agenda.

Commissioner J. López (WI) stated that she also struggled with forming a robust state council when she was first appointed as the commissioner for the State of Wisconsin. She noted that her current council was engaged and committed to Interstate Compact.

The committee decided to continue having conversations on value of a functional state council at the region level as well as setting time aside for an interactive discussion at the upcoming Annual Business Meeting.

Commissioner J. Kempker (MO) volunteered to assist with this ABM session.

WA v. KY Complaint

Commissioner A. Godfrey (MN) reminded the committee that Washington filed a complaint against the Commonwealth of Kentucky for failing to issue a compact warrant. As Kentucky issued the required warrant, the committee asked them to provide a written response that details the actions they would take to remedy future issues of this nature. The Compliance Committee reviewed and approved Kentucky's corrective actions for issuing warrants.

DCA Liaison Committee report: DCA S. Brooks (OH) stated that the DCA Liaison Committee met on February 23. The committee discussed remote sentencings and hearings and whether it was an issue requiring action by the Commission that would result in a rule change or additional Advisory Opinion. The committee decided that the topic was no longer relevant. Furthermore, it was not significant enough to be included on the ABM agenda. Consequently, the DCA Liaison Committee proposed to focus the ABM session on issues surrounding state's ability to toll cases in ICOTS. The committee will use the findings from the Workgroup on Tolling Issues to form a curriculum for the session.

DCA S. Brooks (OH) recommends DCA M. Patterson (OR) and a delegate from the workgroup or the Rules Committee to lead this ABM session.

DCA S. Brooks (OH) reminded the Executive Committee that tolling was not defined or addressed in Compact Rules resulting in misuse of the tolling functionality in ICOTS. In addition, lack of documentation standards to confirm a receiving state's legal authority to supervise, as defined in rules, during the tolled period and no guidance or best practice to help states navigate tolling complicated the process. States need to establish legal support and determine whether 'tolling' is used appropriately by its ICOTS users.

The committee suggested putting together a map with all states utilizing the tolling feature in ICOTS.

FY 2022 DCA Dashboard Program

DCA S. Brooks (OH) stated that despite the initial cleanup, ICOTS data showed that there had been an increase in duplicate offenders. She asked the DCA region chairs to continue covering this topic at their meetings and emphasizing the importance of the appropriate training.

DCA S. Brooks (OH) continued that Q4 Dashboard Program would focus on User Administration.

FY 2023 DCA Dashboard Program

At the next meeting, the DCA Liaison Committee will work on the DCA Dashboard program's outline for the upcoming fiscal year.

DCA S. Brooks (OH) will suggest the program to focus only on two big target areas, such as warrant tracking and tolling.

DCA Dashboard Survey

DCA S. Brooks (OH) stated that the Compliance Committee requested the DCA Liaison Committee to gather information via a survey to evaluate compliance measures to identify deficiencies and to determine what, if any, compliance standards/tools should be added to compliance summary and quarterly emails.

In the survey, DCAs were asked to rate five ideas for new standards and/or tools to be added to the quarterly compliance emails. Four were existing dashboards and one was a new dashboard utilizing new warrant data. Forty-four responses rated the dashboard as follows:

1. [New] Retaking Dashboard
2. Offender management Dashboard
3. Notice of Arrival Dashboard
4. Notice of Departure Dashboard
5. User Administration Dashboard

She will discuss the survey results at the upcoming DCA Liaison Committee meeting.

New DCAs

DCA S. Brooks (OH) brought to the committee's attention the large number of new DCAs in the last couple of years.

The committee discussed the importance of engaging new DCAs in Commission business.

Executive Director A. Lippert noted that the ABM registration form would prompt all commissioners and DCAs to choose a committee of their preference to serve on. New committee chairs will use this data to involve commissioners and DCAs in their committee work.

Finance Committee Report: Commissioner G. Roberge (CT) stated that the Finance Committee met in March to discuss the FY 2023 budget adjustments and make a FY24 budget recommendation.

Total balance of the Vanguard account was \$2.4M, which was up over 30% from the last year. The Commission's savings account had over \$1M. The Finance Committee was not anticipating any unexpected expenditures before finishing the fiscal year.

FY 2023 Budget Adjustments

Executive Director A. Lippert stated that the Commission forecasted its budgets two years out. For that reason, frequently, the committee needs to amend the budget before the start of the fiscal year. She presented the FY 2023 budget adjustments to the committee for consideration.

- Cash Reserves amended to \$185k to balance the budget. (Reductions in operating costs allowed for a \$15k reduction from cash reserves.)
- Dividend income increased to reflect more accurate estimates.
- Line 61000: Decreased by \$15,000 due to joining Commerce as part of strategic benefit renewal.
- Line 61009: Payroll taxes increased \$4,415 in accordance with tax laws.
- Line 61040: Accounting increased by \$2,000 to reflect economic increases and spending.
- Lines 62000, 62010 and 62310: Supplies, postage and photocopy reduced by \$1,100 to reflect spending and remote work environment.
- Lines 62090 and 62140: Computer services and software increased by \$5,800 in accordance with spending, renewals, and economic increases.
- Line 68200: WebEx reduced by \$2,000 due to expiring WebEx agreement.
- ABM Workgroup increased by \$5,000 to reflect economic increases and spending.
- Total budgeted expenses reduced by \$10,635.

Commissioner M. Pevey (WA) moved to approve the FY 2023 budget adjustments as presented. Commissioner D. Crook (VT) seconded. Motion passed.

FY 2024 Budget

Executive Director A. Lippert presented the FY 2024 budget for committee's consideration with the following notes.

- To balance the FY2024 budget, \$125k moved from cash reserves.

- Line 61000-Benefits: Estimated based on increase in benefit renewal.
- Line 04-Rules Committee: Adjusted for non-rule making year.
- Budgets for Finance, Compliance, and DCA Liaison Committee removed due to consolidated meeting software and cancelation of WebEx agreement.
- Line 09-ICOTS: Adjusted for economic increases. Includes \$50k for enhancements.
- To Note: Total budgeted expenses are \$57,650 less than those in FY23; even with \$30k increase over previous year in operating expenses.

Commissioner A. Godfrey (MN) moved to recommend full Commission approve the FY 2024 budget as presented. Commissioner J. Kempker (MO) seconded. Motion passed.

Chair G. Roberge (CT) thanked the national office for their hard work managing Commission's funds.

Executive Director A. Lippert noted because of the specialized staff, the national office is able to complete many Commission's projects in-house. However, additional projects would require additional staff and resources.

The committee discussed starting a conversation on increasing dues due to the rise in inflation. Commissioner G. Roberge (CT) noted that the Commission had no dues increase since 2007. He reminded the committee that the Commission will need to utilize its Vanguard funds to fund some of its projects such as the Compact Study and the ICOTS redesign.

Chair J. Stromberg (OR) noted that the Commission's footprint would be shrinking in the upcoming future because of the current criminal justice reforms that were shrinking the offender population. He noted that if the Commission were to revise its tier structure, it could also be a good time to raise annual dues too.

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

FY 2022 Enhancements

The original timeline for the FY 2022 ICOTS enhancements was changed due to unavoidable development delays with Appriss. The changes involving the rule amendments taking effect on April 1, 2022, were all launched on March 23, 2022. The remaining enhancements will be pushed to production on or before June 1, 2022.

FY 2022 Enhancements associated with rule changes

Prior to changes to the definition of “Resident” going into effect on April 1, 2022, the national office removed footnotes referencing the definition of “Resident” on the transfer request and transfer reply PDFs as well as updated help points.

Warrant Status enhancements

The remaining enhancements involving the new warrant status functionality and new discretionary retaking activity are scheduled to be in production by June 1, 2022.

FY 2023 Enhancement Requests

The Technology Committee finished its review of all enhancement proposals submitted prior to the March 1st deadline. In total, 16 ICOTS enhancement request were submitted to the national office. Of those, 13 enhancement requests were recommended by regions to the Technology Committee. The Technology Committee voted to recommend 10 enhancements to the Commission for adoption and development. The enhancement requests will go up for comment on May 1, 2022. Appriss will provide cost estimate sometime in August prior to the vote at the ABM.

Proposed ICOTS enhancements:

1. Auto-format entry of dates, phone numbers, and social security numbers
2. Require submitting incentive and corrective action update on the progress report
3. Validate the entry of address fields against confirmed mailing/physical addresses
4. Auto-generate the transfer request upon submission of an RFRI into workflow
5. Add an easy-to-view count of all cases assigned to a PO, Supervisor, Compact Office user
6. Allow partial name searches in offender demographic search
7. Increase character limit in Justification for Transfer comment field on transfer request
8. Create notification list for all messages sent to a user
9. Add ‘reassign’ button next to a compact case on the offender profile
10. Add a new column for Supervision End Date on the results screen for the Compact Workload and Manage Caseload

ICOTS User Interface Redesign

The national office sent out an ICOTS user survey to over 3,500 most active users in the system on March 14, 2022. After closing on April 1st, the response rate was 26.5%, or 926 completed surveys. The national office will use the results of this survey to guide the functional specification design process with Appriss. Candidates for a user focus group and UAT (user acceptance testing) will be pulled from the survey respondents. The national office will start scheduling Joint Application Development (JAD) sessions with Appriss in April. The national office anticipates the project to have a two-year phased approach.

- Received top user feedback – March 2022
- Hold JAD session(s) to define functional requirements – May 2022
- Create initial Statement of Work (SOW) by May 1
- Create full SOW with associated costs by August 24, 2022
- Present the final design and its cost for full Commission’s approval at the 2022 Annual Business Meeting.

ICOTS Project Manager X. Donnelly added that the majority of the proposed ICOTS enhancements would be implemented during the second stage of the ICOTS redesign project in FY 2023.

The committee discussed integrating states offender management systems with ICOTS.

ICOTS Project Manager X. Donnelly stated that different states had different offender management systems and the data generated within ICOTS was very Compact specific. He noted that the offender demographic data field could possibly be duplicated. He added that the Commission had a webservice that allowed states to upload their offender demographic data to ICOTS for a small fee but no states utilized it.

Policy and Operations Director A. Eskridge noted that if both systems were connected, then with every ICOTS update and enhancement, the Commission would need to access and update the local offender management system too, which could be very complex.

ICOTS Project Manager X. Donnelly noted that he created an ICOTS data export tool kit to aid states with their ICOTS data exports.

Rules Committee Report: Commissioner M. Hudson (IN) stated that the Rules Committee met in February. The committee reviewed its calendar and established a deadline for 2023 rule proposals. The committee supports the 60-day initial comment period. In addition, the committee discussed 2021 rule amendments implementation, remote hearings, and its 2022 goals.

Lastly, the committee examined issues surrounding state's ability to toll cases in ICOTS and decided to establish a workgroup to evaluate the tolling issues along with related policies, law, and procedures. Commissioner M. Hudson (IN) asked Commissioner D. Littler (AZ) to chair the workgroup.

She continued that based on the tolling data from ICOTS, there were 393 cases in tolling status including 226 cases that were past their supervision end date. 236 days was the average length of time a case was in tolling status. Total number of states currently tolling cases was 37 and the top three tolling states were Colorado (40 cases), Pennsylvania (55 cases), and Illinois (85 cases). The workgroup will meet on April 26.

Commissioner C. Moore (GA) asked whether consideration could be given to states with large interstate compact population vs. states with small interstate compact offender population considering challenges large states have over the due process.

Commissioner M. Hudson (IN) talked about procedural fairness and challenges large states have with overrepresentation. She suggested for large states to utilize the Technical and Training assistance policy.

Chair J. Stromberg (OR) asked the Rules Committee to consider framing any rule changes with diversity, equity, and inclusion in mind.

Training Committee Report: Commissioner J. López (WI) noted that the Training Committee submitted a proposal to present at the next American Probation and Parole Training Institute in Chicago, IL. If selected, the presentation will include elements of the purpose of the Compact.

The Training Committee was working with the national office on Navigating the Compact section of the Commission's website. The section is designed to inform offenders and offender families about the interstate compact process. The page will include step-by-step information on where to start if one wants to transfer, the eligibility tree, links to appropriate rules, and other information. In addition, the committee was working on revising the victim resource page on the Commission's website.

At the last meeting, the committee agreed to continue offering the ICOTS offender application and rules in Spanish on the Commission website. The national office submitted the documents for translation. In addition, it will provide instructions and an appropriate disclaimer on how to use Google Translate for resources on the website.

Commissioner J. López (WI) noted that the Training Committee continued to work on its goal to engage probation and parole agents and to utilize the Training and Technical assistance policy to support struggling states.

East Region Report: Commissioner D. Crook (VT) stated that the East Region met in January and approved two ICOTS enhancement proposals for the Technology Committee's consideration and approval.

Midwest Region Report: Commissioner S. Kreamer (IA) stated that the Midwest Region proposed several ICOTS enhancements for the Technology Committee review and consideration. The region will meet again in May.

South Region Report: Commissioner J. Kempker (MO) stated that the South Region will be meeting on April 19.

West Region Report: Commissioner M. Pevey (WA) stated that the West Region met in January and February to discuss ICOTS enhancements for the Commission's consideration this fall. At the last meeting, Commissioner D. Blanchard (UT) reported on the progress of the Workgroup on Tribal Best Practices. The workgroup asked the states to share existing MOUs with the independent nations. The region will meet again on April 19.

ABM Planning Workgroup Report: Commissioner H. Cooper (KS) stated that the ABM Planning Workgroup met face-to-face in December and had a teleconference in January to finalize the 2022 ABM agenda and presenters. The theme for this meeting is *Past, Present, and Future*.

[Monday, September 26 - DCA training Institute](#)

8:45 am – 10:00 am Executive Committee Meeting

- 8:30 am – 8:45 am **Welcome & Introductions**
 - Vice Chair Cooper (KS) & DCA Liaison Cmmtt Chair Brooks (OH)

- 8:45 am – 9:45 am **Embracing the Spirit of the Compact** - Attendees will receive an overview of DCA responsibilities, share ideas for effective communication and understand the importance of elevating compact related issues when necessary.
 - DCA Liaison Cmmtt Chair Brooks (OH) & DCA region chairs

- 10:00 am – noon **Great Plans for Great Outcomes: Sending State’s Role in the Transfer Process**

Highlight and focus on best practices for improving outgoing transfer acceptance rates and efficiencies as a follow-up to the FY22 Rejection Assessment.

 - Hudrlik (MN), Dyson (GA), Gilmore (WA)

The Executive Committee discussed high turnover rates among DCAs. The committee decided to provide an informal welcome lunch for new DCAs, DCA Liaison Committee chair and DCA region chairs to facilitate involvement in the Compact and Commission business.

Noon – 1:15 pm **New DCA Luncheon**

- 1:15 pm – 3:15 pm **Interstate Compact and Tolling Issue.** Attendees will examine issues surrounding state’s ability to toll cases in ICOTS. Participants will discuss recommendation and best practices for handling tolling cases.
 - DCA Liaison Committee

- 3:30 pm – 5:00 pm **Changing Landscape of Substance Abuse and its Impact on Supervision.** Participants will discuss the effects of decriminalization of drug laws and its impact on supervision for Compact offenders when the laws differ between the sending and receiving states.
 - Ex Officio Busby (NIC), Stromberg (OR), Maccarone (NY), & López (WI)

The Executive Committee discussed potential duration of the session on tolling issues and decided to interchange the last two sessions’ time slots on the agenda.

Tuesday, September 27

- 8:30 am – 8:45am **Opening Remarks.** Chair Stromberg (OR)

- 8:45 am – 10:00 am **Lessons Learned: COVID.** Attendees will discuss challenges and positive resulting from the COVID-19 pandemic.
 - Chair Stromberg (OR)

10:15 am – 11:30 am **Region Meetings**

11:30 am – 12:45 pm **New Commissioners Luncheon**

12:45 pm – 1:45 pm **Past, Present, Future: Engaging Victims fact sheet.** Attendees will learn why the Compact was rewritten, its current impact on victims, and how a victim centered approach can influence the future.

- Vice chair Cooper (KS); Tuthill, Victims Representative; Nasset, 2021 Peyton Tuthill Award Winner; Gillis, Ex Officio Victims Representative

Commissioner A. Godfrey (MN) asked the national office to create a one-page resource/factsheet outlining the story of how the Compact was created. He noted that states could use this resource for orientation events with judges, state council members, and others.

2:00 pm – 4:15 pm **The Road Home: A Compact Documentary.** An opportunity to see the Compact from multiple lenses, attendees will watch a documentary that tells the real-life stories of adults who transferred under the Compact. Viewers will get a close-up look from their perspective as they navigate the Compact. The audience will learn the critical role that NIC and ICAOS play and hear firsthand accounts from subject matter experts.

The session will conclude with interviews of the individuals featured in the film and discussions with the film’s director.

- Chair Stromberg (OR); Tau, Director and Producer; Ex Officio Busby (NIC), and individual from documentary

4:30 pm – 6:00 pm **Reception**

Wednesday, September 28 - General Session

8:30 am – 8:45am **Call to Order, Flag Presentation, Roll Call, Approval of Agenda & Minutes**

8:45 am – 10:00 am **Welcome Address & NY Topic TBD**

10:00 am – 10:45 am **Committee Reports**

Commissioner H. Cooper (KS) noted that the committee chairs will use this opportunity to promote their committees and recruit new commissioners and DCAs.

11:00 pm – noon **Leading Change: Acceptance Assessment Outcomes.** Commissioners will take an honest, critical look at their role in improving outcomes based on the FY22 Rejection Assessment.

- Ex. Dir. Lippert, Zavaras (CO), Godfrey (MN) & Gagnon (ME)

The committee discussed splitting the session in two mini sessions of 30 min each. The first session will cover the assessment outcomes and highlight the Training and Technical assistance policy. The second session will be an interactive discussion on the meaning of a fully functional state council.

1:15 pm – 2:45 pm **Meeting the Mission: A Compact Study.** Since the Compact’s passage in 2002, no formal study has been conducted to determine whether it’s fulfilling its mission and purpose. This study examined the individuals impacted by the Compact, including justice-involved clients and corrections practitioners as well as the benefits and drawbacks of interstate transfers. Commissioners will also learn what outcomes resulted from the study and potential areas for future improvements.

- Chair Stromberg (OR) & University of Cincinnati Corrections Institute

3:00 pm – 3:45 pm **The Next 20 Years.** The Commission’s 20th Anniversary meeting will conclude with a discussion of how to move the Compact forward and what future goals it should pursue.

- Chair Stromberg (OR)

The committee agreed to add a DCA co-facilitator to this session to promote Commission engagement on the DCA level.

3:45 pm – 4:30 pm **Awards Presentation, Old Business & New Business, Adjournment**

Commissioner M. Pevey (WA) moved to approve the 2022 Annual Business Meeting agenda as amended. Commissioner D. Crook (VT) seconded. Motion passed.

Commissioner H. Cooper (KS) informed the committee that the national office continued to monitor the latest COVID protocols and handling of face-to-face meetings to make appropriate recommendations.

The committee reviewed a COVID protocol drafted by the national office for the upcoming Annual Business Meeting in New York, NY. The protocol included current COVID requirements in New York City and the Hilton Midtown hotel, hotel responsibilities, national office responsibilities, as well as a process for attendees who test positive during the meeting.

Executive Director A. Lippert noted that the protocol was subject to change based on the pandemic’s evolution and related guidance.

The committee discussed the protocol and if there was a need to require proof of vaccination, negative test prior to and/or during the meeting, setting up voluntary temperature-check stations, encouraging attendees to check their temperature on a daily basis, requesting attendees to complete and sign a Health Check Form, requiring masks, and a COVID liability waiver.

The committee discussed traveling and attending meetings in this post-COVID era. The committee agreed that majority of participants understood risks associated with attending an out of state meeting. The committee consented to follow mandate requirements imposed at the meeting location without adding additional constraints as well as communicating meeting expectations to attendees.

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

MN Advisory Opinion Request

The committee reviewed Minnesota's request for an Advisory Opinion on the interpretation of Rule 3.103 (a)1 as it relates to warrant status. Minnesota asserted that the rule did not indicate nor offered language that the residency status of an offender would be negated solely on the fact that there had been a warrant issued by the sending state on an offender prior to sentencing. In addition, Minnesota asserted that the intent of the rule was to allow clients to return to their home without delay after sentencing to support successful rehabilitation of the offender, safety of the community, and protect the rights of victims.

Executive Director A. Lippert briefed the committee that an offender who lived in Arizona was accused of cyber stalking. The offender was extradited to Minnesota. Prior to release Minnesota sent Arizona RFRI under Rule 3.103 which were denied. Arizona claims that because offender was on warrant status he did not qualify. Minnesota was concerned about public safety issues due to the offender being homeless in MN and victim's residence in Minnesota.

DCA S. Brooks (OH) stated that the situation should have been resolved between two DCAs without being elevated to the commissioner's level. She disagreed with Arizona's action not to grant reporting instructions since there were concerns for victim safety.

Some committee members voiced similar concerns.

Commissioner M. Pevey (WA) was against issuing the advisory opinion for this case. He noted that the rule had enough flexibility to work with difficult cases and the advisory opinion would remove this flexibility.

Commissioner M. Hudson (IN) moved to issue an Advisory Opinion as requested by the State of Minnesota. Commissioner D. Crook (VT) seconded. Motion passed with a vote of seven (CT, IA, IN, KS, MO, VT & WI) to three (GA, OR & WA). MN abstained.

The Executive Committee agreed to review the advisory opinion and determine if Rule 3.103 needs to be referred to the Rules Committee for consideration and revision.

Legal Counsel T. Travis asked that Arizona be asked to provide their interpretations of Rule 3.103 prior to drafting the opinion.

Conflict Resolutions

Executive Director A. Lippert informed the committee that there were a couple of different conflict resolution calls and rules process interpretation involving Colorado and South Carolina and Colorado and Kansas. At this point, no action was needed from the committee.

Documentary Update

The national office continues to work with the film crew on the Compact documentary and had viewed a preview of the first rough cut.

Compact Study update

The Commission is engaged with the University of Cincinnati Corrections Institute to deliver the Compact Study project. UCCI proposed a mixed methods study that would integrate data from multiple sources to provide a comprehensive examination of the Compact and its impact. The project consisted of UCCI literature review, ICOTS data extraction, electronic staff surveys (starts in April), selected staff interviews and justice-involved individual interviews by phone (starts in May). UCCI will share a draft report by the end of July.

Executive Director A. Lippert continued that UCCI would integrate the findings into a final report and present the results of the study to the Commission at the 20th anniversary celebration in September 2022.

JRI Project Update

The national office continues to work with SEARCH on the JRI pilot project to establish a process to notify states when a warrant was issued on a compact offender. Two states, Kansas and Arizona, are in process of developing connection between ICOTS, NCIC and the state's messaging system. Ohio is approved to move forward and is working on its agreement.

Executive Director A. Lippert noted that the grant period ends later this fall, but SEARCH will ask for a one-year extension. In order to fulfill the grant's requirements to enter offender information into the FBI's program, the Commission needs to obtain an Originating Agency Identifier (ORI) number. Since the Commission was not able to obtain the number, the national office was working with individual states to use their own ORI number for this project. She added that the process of working with each state, their CJIS official, getting agreements in place, etc. was lengthy. She noted that not all states would be able to employ this project in their state. In addition, the Executive Committee will need to discuss ongoing costs and resources to support the project.

Commissioner A. Godfrey (MN) encountered difficulties and many obstacles to move forward with this project in his state.

Policy Review

Executive Director A. Lippert informed the committee that the national office completed a comprehensive review of all ICAOS Administrative Policies (AP). Currently, there were 25 official AP and two appendices. The national office recommends retire three AP and two appendices.

- AP 2004-06 Financial Practice. The national office notes that the accounting manual supplants this policy.

- AP 2005-01 Benchbook Distribution. The national office notes that distribution of benchbooks, as with other ICAOS material, now occurs online. Outdated requirements.
- AP 2007-01 Advisory Opinion Issuance. The national office notes that relevant requirements merged into Accessing Legal Counsel policy 2004-02.
- AP 2009-05 Audit Standards Appendix 1. The national office notes that these are outdated procedures. Audits now approved by Compliance & Executive Committees.
- AP 2009-05 Audit Standards Appendix 2. The national office notes description of rules not required in policy to conduct audits. The policy requires an update with any rule change.

Commissioner C. Moore (GA) moved to retire AP 2004-06 Financial Practice; AP 2005-01 Benchbook Distribution; AP 2007-01 Advisory Opinion Issuance; AP 2009-05 Audit Standards Appendix 1; and AP 2009-05 Audit policies Appendix 2 as presented. Commissioner S. Kremer (IA) seconded. Motion passed.

Executive Director A. Lippert presented revisions to eight AP for committee's consideration and approval.

- AP 2004-02 Accessing Legal Counsel. The national office merged with advisory opinion policy (AP 2007-01). In addition, it clarified access flows through the executive director and/or Executive Committee.

Commissioner H. Cooper (KS) moved to adopt the revisions to AP 2004-02 Accessing Legal Counsel as presented. Commissioner A. Godfrey (MN) seconded. Motion passed.

- AP 2004-07 Travel Policy. The current \$500 limit was set when the Commission was formed, but recent economic uncertainties indicated an increase was necessary. The national office recommends \$650 airfare limit.

Commissioner D. Crook (VT) moved to adopt the revisions to AP 2004-07 Travel Policy as presented. Commissioner J. López (WI) seconded. Motion passed.

- AP 2006-01 Alcohol Consumption. Simplified language.

Commissioner J. Kempker (MO) moved to adopt the revisions to AP 2006-01 Alcohol Consumption as presented. Commissioner M. Pevey (WA) seconded. Motion passed.

- AP 2007-02 Communicating with Members of the Public. Clarified applicability when media or public contact compact administrators or staff regarding state matters. Old language was too broad. Clarified that the policy addresses disputes not all communication between states.

Commissioner G. Roberge (CT) moved to adopt the revisions to AP 2007-02 Communicating with Members of the Public as presented. Commissioner D. Crook (VT) seconded. Motion passed.

- AP 2008-01 Training and Technical Assistance, General clean-up and elimination of language referring to stipends. Engagement is approved by the Executive Committee.

Commissioner J. López (WI) moved to adopt the revisions to AP 2008-01 Training and Technical Assistance as presented. Commissioner H. Cooper (KS) seconded. Motion passed.

- AP 2009-01 Guidelines for Handling Closed Session Minutes. Reordered to increase clarity. Eliminated requirement to review closed session minutes periodically.

Commissioner M. Pevey (WA) moved to adopt the revisions to AP 2009-01 Guidelines for Handling Closed Session Minutes as presented. Commissioner S. Kremer (IA) seconded. Motion passed.

- AP 2009-02 Record Retention and Destruction Policy. Clarified what documents, emails, etc. are maintained. Accounting and finance reflect the appropriate schedules. Specifies that electronic documents are the preferred standard of storage. Updated personnel and accounting retention schedule. Eliminated redundancy.

Commissioner J. Kempker (MO) moved to adopt the revisions to AP 2009-02 Record Retention and Destruction Policy as presented. Commissioner D. Crook (VT) seconded. Motion passed.

- AP 2009-06 ICOTS Privacy Policy. Clarified language, incorporated timeframes to handle data entry errors, condensed and simplified sections on data sharing for clarity, removed fees as these are not collected.

Commissioner C. Moore (GA) moved to adopt the revisions to AP 2009-06 ICOTS Privacy Policy Revise as presented. Commissioner G. Roberge (CT) seconded. Motion passed.

Commissioner A. Godfrey (MN) advised to conduct review of polices related to compliance.

2022 Annual Business Meeting Budget

Executive Director A. Lippert noted that the 2022 ABM budget increased by \$25K due to the federal per diem rate increase as well as approved changes to AP 2004-07 Travel Policy that raised the allowance for airfare to \$650.

Commissioner H. Cooper (KS) moved to approve 2022 ABM budget increase by \$25K. Commissioner C. Moore (GA) seconded. Motion passed.

Committee and region goals

The committee reviewed committee and region goals.

- Executive Committee
 - Implement fiduciary and strategic goals, and policies consistent with the Commission’s mission and guiding principles.

- ABM Workgroup
 - Ensure ABM agenda meets Commission goals and objectives.
 - Confirm and recommend training needs for practitioners as identified by the Training Committee.
 - Identify emerging trends for corrections and criminal justice officials and engage speakers to address topics of interest.

- Compliance Committee
 - Review compliance issues and make fair and consistent recommendations if necessary.
 - Meet and review compliance issues within 30 days of referral.
 - Develop processes to enhance proactive compliance by monitoring trends and working collaboratively with other committees.
 - Develop processes for improving dashboard outcomes.

- DCA Liaison Committee
 - Identify issues or concerns affecting DCAs and support effective discussion/action to find resolution.
 - Identify issues of relevance for referral to standing committees.
 - Support DCAs through partnership with the Training Committee, mentorship, and effective communication.

- Finance Committee
 - Recommend funding formula that respects the value of public funds and meets the Commission’s future technological and operational needs.
 - Recommend sustainable annual budget for approval.

- Technology Committee
 - Implement ICOTS changes prior to any rule changes going into effect.
 - Provide guidance on future ICOTS enhancements.
 - Explore options to expand and enhance data sharing opportunities with federal and local criminal justice agencies.
 - Pursue value enhancing data export of ICOTS offender and case information with state agencies.
 - Continue to work on the NCIC initiative to improve the Wanted Person File related to IC warrants and bond information for re-taking purposes.

- Rules Committee
 - Review rule amendment proposals and make recommendations to the proposing entity to adopt, revise, or withdraw, as appropriate.

- Review public comment on proposed rules.
- Present the proposed rule amendments for Commission’s consideration at the 2023 Annual Business Meeting.
- Review prevailing issues to determine rule amendment needs.
- Training Committee
 - Engage Probation/Parole Agents
 - Engage justice involved individuals
 - Improve ‘Navigating the Compact’ section of the website
 - Create outward facing dashboard for clients, family, victims to see status of transfer.
- West, East, Midwest, South Regions
 - Develop a list of known best practices, emerging trends and training opportunities.
 - Engage discussions on aligning compact practices with principles of reentry/justice reinvestment.
- Victim Advocate
 - Engage victim community on efficacy and suitability of notification services.
 - Collaborate with national victim partners to review transfer practices that promote long term public safety outcomes.

The committee had no additions to the list of goals.

Annual/Ongoing ICAOS National Office Goals

The committee reviewed the ongoing national office goals. The committee had no additions to the list of goals.

- Program Development
 - Deliver final compact study. Make recommendations based on output.
 - Maintain dashboard reports to provide members with value-added information that is relevant to state policymakers.
 - Expand the new commissioner orientation program and incorporate new online learning opportunities for new commissioners.
 - Deliver training on rules and ICOTS changes.
 - Oversee the second year of the DCA dashboard program to supply practical learning opportunities that improve compact processes. Provide guidance and recommendations for annual audit measures.
 - Oversee the final production of a compact documentary film and market it to stakeholders and members.
- Advanced Technology
 - Develop and launch an interactive annual report.
 - Propose an ICOTS redesign that is not only cost-effective but improves user experience and supplies needed system upgrades.
 - Implement a contact management solution for the national office.

- Build and launch a meeting app that allows ABM participants to interact, share meeting information, and offer online expense reporting.
- Continue JRI warrant notification project with SEARCH. Ensure implementation of pilot states.
- Reduce risk and enhance the operating environment
 - Review vendor agreements to efficiently acquire services.
 - Shift website hosting to the national office as a cost-saving measure.
- Enhance public safety
 - Aid committee chairs with goal development and implementation.
 - Administer FY2023 compliance audit on ICOTS data integrity.
 - Organize and implement 2022 ABM. Ensure that the goals of the Executive Committee and workgroup are met. Make certain COVID protocols are followed and safeguard attendees from public health risks.
 - Examine Commission policies for redundancies and gaps. Make recommendations to ensure that policies reflect current practices.

The committee thanked the national office staff for their work and dedication.

Personnel

Legal Counsel T. Travis asserted the committee could enter closed session to discuss personnel matters pursuant to Compact Statue, Article VII.

Commissioner G. Roberge (CT) moved to enter executive session to discuss personnel matters. Commissioner D. Crook (VT) seconded. Motion passed.

Commissioner H. Cooper (KS) moved to exit executive session. Commissioner G, Roberge (CT) seconded. Motion passed.

Commissioner G. Roberge (CT) moved to approve a 4% COLA increase for all national office staff. Commissioner A. Godfrey (MN) seconded. Motion passed.

Old/New Business

There was no old/new business.

Adjourn

Commissioner D. Crook (VT) moved to adjourn. Commissioner M. Pevey (WA) seconded.

The meeting adjourned at 4:48 p.m. ET.

Jeremiah Stromberg
Jeremiah Stromberg (Jun 22, 2022 08:33 PDT)

ExecutiveCommitteeMinutes_APPROVED_April

Final Audit Report

2022-06-22

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