**Alaska Interstate State Council Meeting**

**September 8, 2021**

Attendees: Rebecca Brunger – Commissioner, Alaska Interstate Compact for Adults; Jennifer Winkelman – Director – Division of Pretrial, Probation and Parole; Tracy Dompeling – Director, Department of Juvenile Justice Health and Social Services; Joseph Gamache – Department of Public Safety; and Victoria Shanklin - Victims for Justice.

Guests: Lorna Colver – Deputy Compact Administrator, Alaska Interstate Compact for Adults; Charles Welch – Alaska Interstate Compact Office, Criminal Justice Technician; Nichel Saceda-Hurt – Department of Juvenile Justice Health and Social Services; Andalyn Pace - Department of Law; and Don Habeger - Juneau Re-entry Coalition.

Meeting called to order at 10:31 AM. Motion made by Jennifer Winkelman and seconded by Joseph Gamache to approve the agenda for today’s meeting. Motion made by Tracy Dompeling and seconded by Joseph Gamache to approve the minutes from the December 4, 2020, meeting.

**Adult Compact Updates:**

Supervision report provided by DCA Lorna Colver.

Incoming: 151 offenders. Of those 67% on probation, 31% on parole and 1% probation and parole. 18% are sex offenders.

Outgoing: 146 offenders. Of those 42% on probation, 23% on parole and 36% on probation and parole. 32% are sex offenders.

Extraditions:

Incoming: Five offenders extradited. Seven offenders either serving sentence in Alaska or have an active warrant for absconding.

Outgoing: Seven offenders extradited. Seven offenders either serving sentence out of state or have an active warrant for absconding.

Annual Business Meeting provided by Rebecca Brunger

The annual business meeting will once again be a virtual meeting due to COVID. It will be on September 28, 2021, from 10:00-12:00 (AST). This is a voting year for rule changes and there are a number of rule proposals. DCA Colver will review the rules and then the council will vote on the position that Alaska will take when voting for the rules at the annual meeting.

Rule Proposals

1. Add NDAA (National District Attorney’s Association) as ex-officio member.

**Justification:**  ICAOS has collaborated with NDAA over the last year to deliver training, share information and collaborate on issues affecting both organizations. Inviting NDAA to become an Ex Officio formalizes our partnership and cooperative efforts.

Council Approved Unanimously

2. 1.101 – Revise Definition of ‘Resident’

Current definition: 1) a person who has continuously inhabited a state for at least 1 year prior to the commission of the offense for which the offender is under supervision

Update to: Change qualification for resident to ‘lived’ in the receiving state one year prior to sentencing or supervision start date.

**Justification:** The current definition of resident in Rule 1.101 is overly restrictive and does not address the circumstances of individuals who have resided in a receiving state for an extended time, especially between commission of the offense and placement on supervision.   Moreover, the current definition makes it particularly challenging for the sending state to provide proper documentation to support residency in such circumstances.  It ensures it is not associated with the arrest (which may have been years before) and instead puts it more into a proximity of sentencing and/or release from incarceration.

Council Approved Unanimously

3. 5.108 - Probable Cause Hearing in the Receiving State

Clarify PC must be established prior to retaking on a violation that is actually revokable in the receiving state.

(b) No waiver of probable cause hearing shall be accepted unless accompanied by an admission by the offender to one or more violations of the conditions of supervision that would result in pursuance of revocation of supervision in the receiving state and require retaking.

Justification: add language to align with ICAOS rules and training.

Council Approved Unanimously

4. Expand timeframes for issuing a warrant to a standard 15 business days when an offender fails to arrive/return as instructed or is subject to retaking. Rules impacted with the change:

2.110 - Transfer of Offenders – If sending state permits an offender to relocate to another state without going through the compact – sending state shall order the offender to return. Currently requires warrant to be issued within 10 business days following offender’s failure to appear in the sending state when directed to return.

4.111 - Offenders returning to the sending state, usually in lieu of retaking – If offender fails to return by specific date – sending state has 10 business days following offender’s failure to arrive are required date to issue the warrant.

5.101 - Discretionary Retaking by the Sending State – At its sole discretion a sending state may order the return of an offender. If offender fails to return as directed the current warrant timeline is 30 calendar days following the offender’s failure to appear in the sending state.

5.102 - Mandatory Retaking for a New Felony or New Violent Crime Conviction – When sending state is required to retake an offender, the sending state shall issue a warrant – no timeline listed in this rule for the warrant.

5.103 - Offender Behavior Requiring Retaking – Upon request by the receiving state and documentation that an offender’s behavior requires retaking, a sending state shall issue a warrant to retake or order the return of the offender from the receiving state within 15 business days of the receipt of the violation report.

5.103-1 - Mandatory Retaking for Offenders Who Abscond – Upon receipt of an absconder VR and case closure, the sending state shall issue a warrant – no specific timeline – but generally we follow the timeline in 5.103 – 15 business days.

Justification: 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.

Council Approved Unanimously

ICOTS Enhancements (cost of under $57,000.00)

New Warrant Status Tracking/Audit Tool

1. New Warrant Status for ICOTS records: User entered data related to compact compliant warrants.

Warrant Status: The PO, Supervisors, and Compact Office will be able to create and update warrant status data. The warrant status data may initially state “warrant request sent to court”. Any assigned user or compact staff member will be able to update this warrant data with a NIC number, date of warrant, etc. until data is entered that the warrant has been served or withdrawn. Once that has been entered, the record becomes read-only.

2. New email notifications managing the Warrant Status information based on triggers (Failure to Arrive, Disc Retaking, Mandatory Retaking, updates to Warrant Status Information).

ICOTS notification: “Warrant Status Needed” or “Warrant Status Updated” emails will be sent to the PO, Supervisor, and Compact Office.

A third item had been proposed, however has been held back to allow everyone time to thoroughly examine it.

Council Approved Enhancements 1 and 2 Unanimously

**Juvenile Compact Updates:**

Report provided by Nichel Saceda-Hurt.

Supervision:

In 2021 – ICJ – Juveniles – 18 transfers to Alaska. 10 are pending and eight (8) cases successfully closed either discharged early or order out expired.

There were 10 out of state transfers, with seven (7) pending.

56 travel permits were issued and noted these picked up post mandates.

COVID Restrictions/Travel Updates:

Juvenile Probation Officers continued to do business as they could, either in-person or virtual dependent on the family’s comfort level. They did some home visits yet were limited as did virtually when needed.

ICJ Annual Meeting:

2021 – meeting will be held virtually October 4 – 7 starting at 1:00 pm.

Other news:

The new Unity Database that tracks all of their ICJ cases was up and running in May of 2021. There are mandatory fields to enter, colored fields, and then if data not entered you cannot move to the next one. Nichel reports it is a much easier program and they are still working out the bugs with the program.

Due to a cyberattack in April/May the State of Alaska DJJ internal website was down and still down.

They have a lot of new field officers. They are developing ICJ training for the field officers.

ICJ Policy Changes – not too many changes as the focus has been on the new system. There is a new Administrative Policy (1-2021) for Juvenile Record Expungement. There is a new online form that has to be completed and submitted to the Commissioner’s Office.

New Business:

None

Meeting was adjourned at 11:08 a.m. (AST)