

New York State Council  
Interstate Compact for Adult Offender Supervision  
NYS Division of Criminal Justice Services  
Alfred E. Smith Office Building  
80 S. Swan Street  
Albany, NY 12210  
Virtual Meeting---Tuesday, October 25, 2022, 11:00 am- 12:30 pm

**Welcome and Opening Remarks**

Robert Maccarone, NYS DCJS OPCA, ICAOS Compact Administrator/Commissioner welcomed members and guests to the October 25, 2022 NYS Council meeting of the Interstate Compact for Adult Offender Supervision (ICAOS). CA Maccarone asked the members to introduce themselves to the NY Council Meeting. He then asked the Council's newest member, Honorable Senator Julia Salazar to introduce herself. Senator Salazar said how pleased she was to be appointed by President Pro Tempore and Majority Leader Andrea Stewart Cousins. Senator Salazar reported she Chairs the Senate Committee on Crime and Correction and is pleased to serve as a member of the NY Council.

**Introduction of State Council members:**

Joseph Popcun, Executive Deputy Commissioner, NYS DCJS-representing DCJS  
Commissioner Rossana Rosado  
Robert Maccarone, Deputy Commissioner & Director, NYS DCJS – Office of Probation and Correctional Alternatives (OPCA) and Compact Administrator – State Council Chair  
Tina Stanford, Chairwoman, NYS Board of Parole  
Honorable Robert Mandelbaum, Acting Supreme Court Justice, NY County  
John Watson, Counsel, NYS Office of Victim Services (OVS), representing OVS  
Director Elizabeth Cronin Elizabeth Cronin, John Watson  
Jeffrey Kirker, Regional Director, NYSDOCCS representing Acting Commissioner  
Anthony Annucci, NYS DOCCS  
Honorable Julia Salazar, NYS Senator  
Honorable David Weprin, NYS Assemblyman

**State Council members not present:**

Honorable Philip Ramos, Assemblyman

**Introduction of Guests:**

Matthew Charton, NYS Deputy Compact Administrator (DCA) - Probation, Interstate Compact for Adult Offender Supervision (ICAOS)

Kelly Palmatier, NYS DCA, Interstate Compact for Juveniles  
Kathy Kiely, Counsel, NYS Board of Parole  
Scott Hurteau, Bureau Chief, NYS DOCCS  
Colleen Glavin, Deputy Commissioner and Counsel, NYS DCJS  
Jennifer Grasso, NYS DCJS OLS  
Mark Mishler, Counsel and Legislative Director, Office of Senator Julia Salazar

**Review and Approval of the Agenda:**

CA Maccarone asked the members to review today's meeting agenda. CA Maccarone asked for a motion to approve the meeting agenda. A motion to approve was made by Senator Julia Salazar and seconded by Judge Robert Mendelbaum. The motion passed unanimously.

CA Maccarone asked the members to review the Council meeting minutes from May 24, 2022. CA Maccarone asked for a motion to approve the meeting minutes. A motion was made by DCJS Executive Deputy Commissioner Joseph Popcun, and second by NYS Office Victim Services counsel John Watson. The motion was passed unanimously.

**Mission Statement:**

CA Maccarone asked NYS DOCCS Bureau Chief Scott Hurteau to read the NYS Council Mission Statement aloud, as the reading reinforces the purpose and focus of the NYS Council.

**2022 ICAOS Annual Business Meeting held in New York City, September 26-28, 2022.**

DCA Charton provided an overview of the ICAOS 20<sup>th</sup> Annual Business Meeting (ABM) which was held Sept 26-28 in New York City. DCA Charton noted that CA Maccarone welcomed the full commission and provided the keynote address at the Annual Business Meeting on Sept 28. A copy of that address was provided to NYS Council members and guests. DCA Charton provided an overview of each day of the ABM, highlighting the work of the "Victim Panel", which featured Pat Tuthil, John Gillis and Anna Nasset. Acting Parole DCA Jeff Kirker added that the Commission's documentary, "The Road Home" was well done and appreciated that the Commission brought some of the individuals in the documentary to speak at the ABM.

DCA Charton provided an overview of the University of Cincinnati Correctional Institute's (UCCI) Analysis and Investigation of the Interstate Commission for Adult

Offender Supervision that was presented to Commission Members. DCA Charton highlighted the study's recommendations which included:

- ICAOS improves ways for sending and receiving states to communicate
- ICAOS should consider expanding the factors in consideration of transfer
- ICAOS should continue to utilize focus groups, interviews, and surveys to improve the transfer process
- ICAOS should provide extensive training in the areas of ICOTS, rules and policies.

After further review of the UCCI study, DCJS Executive Deputy Commission Joseph Popcun raised two questions.

1. Did the study find that there are challenges regarding recruitment of probation/parole professionals nationwide?
2. Do the national transfer statistics around race, reflect those of NYS?

DCA Charton responded that the UCCI study did not cover the recruitment issue but is something NYS can raise in our next East Region meeting. Regarding Executive Deputy Popcun's second question, DCA Charton felt they were similar but would follow up and send out those statistics.

DCA Charton ended the ABM discussion by announcing that the Commission voted in favor of a state's dues increase for 2023. DCA Charton pointed out that there has not been a dues increase since 2009. At this time, NYS pays \$44,697 in dues annually.

### **Review ICAOS Compliance Categories**

DCA Charton presented a six-month review of NYS compliance in the six data points that the ICAOS audits on a quarterly basis. He informed the Council that the ICAOS considers anything under 80% to be non-compliant. DCA Charton reviewed the NYS's compliance in Reply to Transfer Requests (90%); Reply to Reporting Instructions (98%); Requested Progress Reports (97%); Case Closure Notices (95%); Reply to Case Closures (98%); and Reply to Violation Reports (91%). Both DCA Charton and Acting DCA Kirker thanked the staff of their respective Compact Offices for continuing to keep NYS compliant. CA Maccarone also thanked the staff of both DCJS and DOCCS for their continued work.

CA Maccarone discussed with the number of individuals who transfer into and out of NYS, stressing the Compact Office's attention to "high-risk" individuals, and asked the DCJS – Compact Office Coordinator and Juvenile (ICJ) DCA, Kelly Palmateer to provide a description of the process used to review the transfer requests made by these individuals. DCA Palmateer provided an overview of the in-depth processes that are used in reviewed incoming and outgoing individuals who are convicted of sex crimes, and individuals convicted of domestic violence crimes, with a focus on the location and

well-being of the victim in each case. She did note that they will provide a more detailed review of other offenses if needed.

### **Changing Our Approach – Reviewing the Compact Name, Language, and Forms**

CA Maccarone opened the discussion by noting that the NYS DCJS OPCA has been making a conscious effort to change terminology used within the criminal justice field. CA Maccarone noted that he also introduced the proposal in a recent meeting of the Eastern Region States of the Commission to remove the word “offender” where it is found in both the ICAOS rules, as well as the title of the compact. He indicated that there was some initial pushback from the ICAOS National Office because it was believed that it would result in a re-opening of the ICAOS enabling legislation signed into law by each member state and federal territory. However, a number of states participating in the Eastern Region States Meeting (i.e. Maine, Pennsylvania) held in August reported their states were taking similar actions in changing criminal justice terminology within their respective states. CA Maccarone included this proposal in his keynote address, and it was identified at the ABM that a national workgroup be formed to review this proposal.

NYS Parole Chair, Tina Stanford agreed that the term should be removed and thanked CA Maccarone for his efforts in this area.

### **New Business**

DCA Charton noted that that he would forward the information on the ICAOS dues increase for NYS when the minutes are sent out for council members to review.

### **Closing Remarks**

CA Maccarone thanked the council for their continued support of the operations of the NYS Compact Offices and asked if any member had any closing questions or comments. Hearing none, CA Maccarone asked for a motion to adjourn the Fall 2022 ICAOS State Council Meeting. DCJS Executive Deputy Commissioner Joe Popcun made the motion, and it was seconded by Assemblyman David Weprin. The motion passed unanimously.

The next council meeting will be held May 23, 2023.