ND INTERSTATE COMPACT STATE COUNCIL

MINUTES FROM OCTOBER 19, 2021 MEETING

Members present:

Molly Goebel, Special Assistant Attorney General

Amy Vorachek, ND Commissioner, DOCR

Wade Enget, State's Attorney

Judge Doug Mattson

Senator Scott Meyer

Members absent:

Dave Krabbenhoft, Director, DOCR

Heidi Smith, Victim Representative

Representative Pat Heinert

Guests/Staff present:

Alyssa Miller, ND Deputy Compact Administrator, DOCR

1. Call to Order: Amy Vorachek called the Interstate Compact State Council to order at 10:38 a.m. on October 19, 2021 via Microsoft Teams.
2. Annual Business Meeting Updates:
   * 1. Commissioner Vorachek informed the council of increasing transport costs affecting all states within the compact. As a result, several states are having issues abiding by general guidelines for transporting offenders. ND has been able to maintain consistency due to the retaking fund.
     2. 2022 will be the Compact’s 20th anniversary. Next year’s annual business meeting (ABM) will be held in person in New York City.
     3. The October 2021 ABM was a rule voting year at the ABM. All proposed amendments were approved.
3. Approved Rule Amendments:
   1. Commissioner Vorachek discussed the following rule amendments.

* The commission approved adding National District Attorneys Association (NDAA) as an ex-officio member.
* The commission approved a change in the definition of ‘resident’ from “lived in the receiving state one year prior to *the offense*” to “lived in the receiving state one year *prior to sentencing or supervision start date*.”
  1. DCA Miller discussed the following approved rule amendments.
* The commission approved a Midwest Region submission to clarify only allegations that would be revocable offenses can serve as the basis for probable cause findings.
* The warrant timeframe was altered from 10 days to 15 days. This affects Rules: 2.110, 4.111, 5.101, 5.102, 5.103 and 5.103-1. North Dakota has had no issues with obtaining warrants within this time frame. DCA Miller discussed there is a new warrant tracking tool being created. This will help track when warrants are requested and submitted within the ICOTS system.

1. Tolling: Commissioner Vorachek discussed the ability for states to mark “tolling” in ICOTS, which is a newer feature. North Dakota has identified two states utilizing this function without proper authority. DCA Miller has worked with several states requesting legal authority. Once received, documentation is provided to Molly Goebel, Special Assistant Attorney General, to review and determine if the state truly has the authority. This is an on-going effort, which likely will result in the need for rule changes for clarity or additional resources or guidance.
2. Compliance Dashboard: DCA Miller presented the compliance dashboard and statistics. ND remains above the National Average for all tracked activities.
3. DCA Miller reviewed the FY2021 Annual Report:
   1. Due to COVID, states’ rejection rates have soared. In an attempt to get everyone back into compliance, the National Office is conducting an audit on rejections and reasoning. The last time this was done was in 2016.
   2. The National Office has rescinded Rule 2.111.
   3. There are 6 approved enhancements within ICOTS. These are small alterations, which provide additional information in CARs, additional information in e-mails, and the ability to modify retaking requirements.
   4. The National Office has also created several additional trainings that are available to compact staff. DCA Miller has participated in several and finds they are beneficial. They will likely be used to train field staff in the future.
4. Meeting Adjourned: Wade Enget moved to adjourn the meeting; Judge Doug Mattson seconded; unanimous approval. Meeting adjourned at 11:12 a.m.