

Interstate Compact for Adult Offender Supervision

2018 Report to the Legislature



OUR MISSION

Reduce recidivism by promoting offender change through proven strategies during safe and secure incarceration and effective community supervision

Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200
St. Paul, Minnesota 55108-5219
(651) 361-7200
TTY (800) 627-3529
March 2017

This information will be provided in alternative format upon request.

The total cost of salaries and supplies incurred in development and preparation of this report was \$4308.24 (reported as required by M.S. 3.195).

Printed on recycled paper with at least 10 percent post-consumer waste.

BACKGROUND

In March 2002, Minnesota passed statutes §243.1605, 243.1606 and 243.1607 regarding the Interstate Compact for Adult Offender Supervision (ICAOS). Minnesota statute §243.1606 establishes an Advisory Council on the ICAOS in Minnesota. This statute also directs the Advisory Council to report to the governor and the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy by March 1 each year on its activities, along with providing a copy of the ICAOS annual report which includes the activities of the interstate commission and executive committee.

ACTIVITIES OF THE ADVISORY COUNCIL ON THE ICAOS IN MINNESOTA

Per M.S. §243.1606, the Advisory Council shall consist of the following individuals or their

designee: the governor; the chief justice of the supreme court; two senators, one from the majority and the other from the minority party, selected by the Subcommittee on Committees of the senate Committee on Rules and Administration; two representatives, one from the majority and the other from the minority party, selected by the house speaker; the compact administrator, selected as provided in §243.1607; the executive director of the Center for Crime Victim Services; and additional members as appointed by the commissioner of corrections.

The 2017 membership included:

- ✓ Steve King, Chair, Mower County Court Services Director, representing county probation officers
- ✓ Suzanne Elwell, Vice-Chair, Victim's Representative;
- ✓ Honorable Michelle Larkin, Minnesota Court of Appeals;
- ✓ Allen Godfrey, Interstate Commissioner, Department of Corrections (DOC);
- ✓ Michael McGuire, Office of Governor Mark Dayton;
- ✓ Kelly Kemp, Office of the Attorney General;
- ✓ Honorable JoAnn Ward, State Representative;
- ✓ Honorable Warren Limmer, Minnesota State Senate;
- ✓ Honorable Bobby Joe Champion, Minnesota State Senate;
- ✓ Honorable Brian Johnson, State Representative
- ✓ Kathryn Richtman, Asst. Ramsey County Attorney, representing county attorneys;
- ✓ William Ward, State Public Defender, representing public defenders;
- ✓ Sheriff Bill Hutton, representing the Minnesota Sheriffs' Association; and
- ✓ Nicole Kern, representing Community Corrections Act Counties.

Advisory Council staff from the DOC included:

- ✓ Tracy Gerasch, Policy and Legal Services.

The Deputy Compact Administrator position within the Minnesota Department of Corrections was filled on March 8, 2017 when Tracy Hudrlik was hired for this position.

The Advisory Council first met on August 21, 2002, and continues to meet on a quarterly basis or as needed.

The Advisory Council met on July 11, 2017 and November 30, 2017.

The primary focus of the Advisory Council in 2017 was a new rule package that was voted upon at the annual business meeting on October 11, 2017 and updates to the ICOTS victim information notification system (IVINS).

Voted on at the 2017 annual business meeting was a rule package that provided updates to rules and included increased documentation requirements. Rule 3.108-1 Victims' right to be heard and comment increased the length of time a victim had to respond to a sending state from 10 to 15 business days. All rule changes will go into effect March 1, 2018.

The Advisory Council discussed the national IVINS system (formerly known as VINEWatch) which provides registered victims with auto notifications of certain interstate compact activity. The system became available for victims to self-register in September 2017 and was announced at the Annual Business Meeting in October 2017. MN Advisory Council Member Suzanne Elwell expressed concerns over the ability to register against an offender who is no longer active in the ICOTS system and was instrumental in proposing changes to the existing system.

The Advisory Council also discussed current issues such as ensuring nationwide warrants are properly entered per Interstate Compact rules, available sanctions for Interstate Compact offenders and court supervision of compact eligible cases.

ACTIVITIES OF THE NATIONAL COMMISSION

The ICAOS National Commission is comprised of one voting member from each state party to the compact. The role of the National Commission is to exercise day-to-day oversight of the compact between states. It promulgates rules to achieve the goals of the compact and ensures an opportunity for input and timely notice to victims and jurisdictions where defined offenders are authorized to relocate across state lines. The Commission established a system of uniform data collection (ICOTS), which provides access to information on active cases by authorized criminal justice officials. It coordinates regular reporting of compact activities to heads of state advisory councils, state executive/judicial/legislative branches, and criminal justice administrators. The Commission also monitors compliance with rules governing interstate movement of offenders, initiates interventions to address and correct noncompliance, and coordinates training and education regarding regulations of interstate movement of offenders for officials involved in such activity.

The National Commission is required to submit an annual report on the activities of the Commission. The current annual report (FY 2017), as well as past reports and newsletters regarding the National Commission’s activities, can be found on the ICAOS site.

OFFENDER MOVEMENT AS REPORTED IN ICOTS:

	Probation	Parole	Both
Number of offenders under supervision in Minnesota from other states on December 31, 2017	1330	343	41
Number of Minnesota offenders under supervision in other states on December 31, 2017	2444	392	3

SUMMARY

The Advisory Council has been in place for 14 years and continues to meet as needed to address issues that arise regarding the ICAOS. The Advisory Council has an active membership, with well attended meetings.