

**Interstate Compact for
Adult Offender Supervision**

2015 Report to the Legislature



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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 Interstate Compact for Adult Offender Supervision 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 a copy of the ICAOS annual report which includes the activities of the interstate commission and executive committee.

ACTIVITIES OF THE ADVISORY COUNCIL ON ADULT OFFENDER SUPERVISION

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 2014 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;
- ✓ Jill Carlson, Interstate Commissioner, Department of Corrections (DOC);
- ✓ Tom Roy, Commissioner, DOC;
- ✓ Michael Downey, Office of Governor Mark Dayton;
- ✓ James Early, Office of the Attorney General;
- ✓ Honorable Joe Mullery, State Representative;
- ✓ Honorable Jim Newberger, State Representative;
- ✓ Honorable Barb Goodwin, Minnesota State Senate;
- ✓ Honorable Bill Ingebrigtsen, Minnesota State Senate;
- ✓ Pete Orput, Washington County Attorney, representing county attorneys;
- ✓ Patrick Kittridge, Chief Public Defender, representing public defenders;
- ✓ Sheriff Bill Bergquist, Clay County Sheriff, representing the Minnesota Sheriffs' Association; and
- ✓ Midge Christianson, 6W Community Corrections Director, representing Community Corrections Act Counties.

Advisory Council staff from the DOC included:

- ✓ Rose Ann Bisch, Deputy Compact Administrator (DCA); and
- ✓ Randy Hartnett, Policy and Legal Services.

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

Since 2014 was not a year during which rules were voted on by the Commission, the Advisory Council only had need to meet on two occasions, March 7 and September 29, 2014.

The primary focus of the Advisory Council in 2014 was with the launch of VINEWatch by the Commission. VINEWatch is a national automated victim notification system for victims of interstate compact offenders and is linked to the Interstate Compact Offender Tracking System (ICOTS). Minnesota has been working on implementation of this system with Minnesota offenders. Suzanne Elwell, Victim's Representative, in conjunction with Sam Razor, ICAOS Assistant Director, did a presentation on how VINEWatch works. The Advisory Council reviewed the system and the impact of sharing this information under Minnesota Data Practices Act Chapter 13. A decision was made to move forward with the implementation of VINEWatch in Minnesota.

The Advisory Council again reviewed the policy and practices regarding the issuance of Minnesota warrants on interstate offenders who are being supervised in Minnesota under the compact. The specific issue was how Minnesota would respond to interstate offenders in Minnesota who have new charges pending. The Council confirmed their previous decision that a warrant will not be issued on the interstate case until after the charges are resolved by the local jurisdiction. Minnesota is not authorized to hold an offender indefinitely on pending charges. Minnesota statute does however allow a warrant to be issued on an interstate offender for violations other than a new arrest. If such a warrant is issued and the offender is taken into custody on that warrant, a probable cause hearing must be conducted within 12 days.

The Minnesota DOC had some statutory language proposals to Minnesota Statutes 243.1605 and 243.1606 in 2014, which the Advisory Council reviewed and was in agreement with the proposed changes.

ACTIVITIES OF THE NATIONAL COMMISSION

The National Commission exercises 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; and 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 and the current annual report, for fiscal year 2014, as well as past reports and newsletters regarding the National Commission's activities, can be found at:

www.interstatecompact.org/About/Publications.aspx.

OFFENDER MOVEMENT AS REPORTED IN ICOTS:

	Probation	Parole	Both
Number of offenders under supervision in Minnesota from other states December 31, 2014.	1240	296	106
Number of Minnesota offenders under supervision in other states December 31, 2014.	2213	302	90

SUMMARY

The Advisory Council has been in place for twelve years and continues to meet as needed to address issues that arise regarding the Interstate Compact for Adult Offender Supervision. As 2014 was not a rule making year for the Commission, it was a quiet year for the Minnesota Advisory Council.