



State of Connecticut

JUDICIAL BRANCH

ADULT PROBATION AND BAIL SERVICES
COURT SUPPORT SERVICES DIVISION
936 Silas Deane Highway, Wethersfield, CT 06109

Interstate Compact for Adult Offender Supervision State Council Meeting Minutes April 2, 2014

Present: **Gary Roberge** (IC Commissioner/Director of Adult Services/Judicial- CSSD); **Jennifer Bennett** (Parole Manager Department of Correction); **Linda Cimino** (Director of Office of Victim Services) **John Defeo** (Executive Director Board of Pardons and Paroles); **Eric Ellison** (Parole Manager Department of Correction); **Tami Ford** (Interstate Compact Coordinator/Judicial-CSSD); **Joseph Haggan** (Parole Director Department of Correction); **Samuel Izzarelli** (Captain CT State Police); **Natalie Latulippe** (Deputy Compact Administrator for Adult Probation/Judicial-CSSD); **Lynn Milling** (Director of Interstate Compact for Department of Correction); **Susan Story** (Chief Public Defender); **Steve Strom** (Assistant Attorney General/Office of Attorney General)

1. Welcome and Introductions:

Commissioner Roberge called the meeting to order at 9:05 a.m.

2. Consideration of minutes from December 5, 2013 State Council meeting:

Minutes were read and unanimously approved.

3. Review of East Region Meeting:

- a. **General discussion:** Commissioner Roberge opened the meeting with a review of the East Region WebEx meeting which took place on February 10, 2014. Commissioner Roberge, DCA Latulippe and IC Coordinator attended the meeting. Historically, the East Region has had difficulty establishing a quorum which is needed in order to initiate new discussions, however, the East Region has improved in this area and has been able establish a quorum during the last two meetings. During the East Region Meeting, there was a proposal to have some face to face East Region meetings. There was mixed feedback, some states indicated this would be beneficial while other states expressed it may be too challenging as there may be a need for staff to stay overnight.
- b. **Vinewatch:** The implementation of Vinewatch was discussed and that although it has not been implemented yet within the East Region, a few states are in the discussion and planning phase. Captain Izzarelli inquired if there was a way to “test” the system in order to see exactly what the victims will receive. Commissioner Roberge expects CT Probation to have a process in place by the fall of 2014 and if possible an example of the email notifications will be provided at the next State Council meeting. DCA Latulippe explained the purpose of Vinewatch and how it works. DCA Latulippe explained that victims can ‘opt in’ to receive notifications when certain activities are submitted in ICOTS. There was discussion as to whether or not all notifications would be made available to CT victims. Captain Izzarelli thought it may be best to make all notifications available to victims. It was determined that approximately 2 staff members from CT IC Probation will be responsible for entering Probation victim information into Vinewatch. Parole will designate staff to enter their victim information. Lynn Milling expressed concerns about victims being notified when a violation report is submitted for an offender in the event the victim is still in communication with the offender. DCA Latulippe agreed this may be an

area of concern. There is also a concern about how many calls CT IC offices will receive from victims regarding the notifications they receive. DCA Latulippe will confirm with the National Office which phone number will be provided to victims in the event the number needs to be changed.

- c. **Surveys:** The National Office requested each state complete a survey regarding offenders who live on an Indian Reservation. Commissioner Roberge made contact with retired CT Chief Probation Officer Andy Cannon as he currently works for probation on the Reservation to discuss how cases would be handled if someone from the Reservation is placed on CT probation. Both Probation departments agreed they are willing to work together regarding home visits, office visits, etc. when needed. Parole Director Joseph Haggan indicated CT Parole has worked with Probation Officers on the Reservation and that it was a positive experience.
- d. **Offender Violation Reports:** DCA Latulippe spoke about the National Office conducting a recent training regarding Offender Violation Reports (OVR) versus Progress Reports. The National Office has found states are handling this process differently, the intention of the training was to increase consistency. The OVR is intended to report significant violations, which if the violation occurred in the supervising state would result in the Probation Officer seeking revocation. Technical violations that do not rise to the level of the supervising state seeking revocation should be reported through a Progress Report. The East Region asked states for suggestions regarding enhancements for both reports. The topic of the sending state having issues with the information being provided in final progress reports prompted further discussions. Per IC rules, all violation activity should be reported within 30 calendar days of discovery. However, Commissioner Roberge commented that at times, supervising states are sending final progress reports at the time supervision has ended, to report violation activity despite acknowledging being aware the violations occurred more than 30 days prior to submitting the report. This is an issue for CT as well as other states that cannot act on violation activity once probation supervision has ended.

4. Judges training:

Commissioner Roberge has received approval from the Interstate Compact Executive Director, Harry Hageman, to have their legal counsel Rick Masters conduct IC Training for CT judges and attorneys. Attorney Masters has agreed and is available for the proposed dates of September 23rd and 26th. It may be difficult for Attorney Masters to present both days as they are not back to back. Commissioner Roberge indicated the Public Defenders could be included in the training and offered a possible date of September 24th. Commissioner Roberge stated he would discuss this matter further with Judge Devlin as it is important to have all the judges trained to prevent CT from unintentionally violating the Compact. DCA Latulippe mentioned that when circumstances have occurred, judges and attorneys have been responsive and have wanted to know more about the Compact Rules in the way in which they relate to sentencing and probation. Often explaining that CT Statute 54-133 requires CT to comply with the Interstate Compact has been helpful. Assistant Attorney General Steve Strom indicated judges and attorneys will benefit from the training and learning the IC Rules and IC Bench Book supersede other CT statutes.

5. Ad Hoc Border State Issue meeting:

Commissioner Roberge spoke about the Border State Issue meeting which took place in OH. Unfortunately most attendees arrived late due to snow storms in the area but the result of one meeting was a survey which was sent out to all the states regarding the issues they experience with their border states. Commissioner Roberge indicated the results of that survey will be discussed at the July State Council meeting.

Border States Discussion: Commissioner Roberge raised the topic of what issues CT is having with border states. Executive Director of BOPP John Defeo acknowledged CT Parole has experienced some issues with border states. One issue in particular is when a state detains a CT Parolee for a technical violation but before Parole has the opportunity to review the Offender Violation Report, the offender is released. At that point, CT Parole has no choice but to request assistance from that state's local PD. Unfortunately, the PDs often refuse to honor the retaking rule which permits the sending state to have up to 30 calendar day days to retake an offender once available. DCA Latulippe mentioned one of the issues CT Probation experiences is the fact that some states are admittedly not reviewing their managed activities prior to submission. This often causes a hardship on CT IC staff as it is already extremely time consuming to review managed activities only to end up rejecting at the IC level due to missing and/or incorrect information. Despite these and other issues with our border states, DCA Latulippe indicated that CT continues to work on forging positive working relationships with every state and territory.

6. 2014 Annual Business Meeting:

Commissioner Roberge mentioned the upcoming 2014 Annual Business Meeting (ABM) is being held in Oklahoma City in August. The Interstate Compact Commission pays for one Commissioner and one DCA to attend the ABM. If a Commissioner cannot attend, he/she can delegate their attendance to a DCA. CT Department of Correction paid for Assistant Attorney General Steve Strom and IC Coordinator Tami Ford to attend the 2013 ABM. Commissioner Roberge noted the 2014 attendees will need to be determined.

7. Training/IC audit:

Commissioner Roberge reported that CT Probation has conducted training on the newly implemented rule changes which went into effect March 1, 2014. It was further discussed that CT did not meet the compliance standards for the previous 3 annual audits by the National Office. CT was recently audited in the categories that were deficient in the last audit and the national office found CT to have made satisfactory progress at this time. DCA Latulippe provided the results of the audit which was a reflection of CT's compliance from January 2013 to January 2014. It was noted that CT Probation's new audit process was not fully implemented until April 2013. The audit revealed that CT met the threshold of 80% in every category with the exception of Notice of Arrivals (NOA). DCA Latulippe indicated that most of CT's past deficiencies were due to PO's failing to enter the information into the system within the required time frames. DCA Latulippe provided additional statistics for the last 6 months which revealed CT Probation and Parole improved in all areas including NOA's. DCA Latulippe discussed a new report on the ICAOS website called 'Compliance Audit Dashboard'. The dashboard allows states to compare their compliance against the national average in 6 different categories. CT probation and parole will work together to improve in the area of the Notice of Arrivals.

8. Retaking Whitepaper:

DCA Latulippe explained that the retaking whitepaper is intended to stress the fact that there are times states have a legal obligation to retake an offender and the possible ramifications for failing to comply with the compact with regards to retakings.

9. Probation update:

Commissioner Roberge discussed CT's plan to have IC liaisons in each Probation office as experience has shown that the more often a PO handles IC cases, the more proficient he/she will become. DCA Latulippe and IC Coordinator Ford recently conducted training for PO's and CPO's designated as the IC liaisons for their office which included the rule changes which went into effect March 1, 2014. Additional trainings will be offered in the future. Joseph Haggan indicated that currently, CT Parole does not have a plan in place to

implement liaisons in their field offices. DCA Latulippe suggested Parole consider a similar approach and offered assistance with training should they decide to designate officers. Executive Director of BOPP John Defeo indicated the issue Parole has is typically due to not entering the information into ICOTS rather than not supervising the offender. Captain Izzarelli spoke about the possibility of participating in a state LEAN project in order to come up with a system to streamline the IC process.

CT Probation is creating a policy for retakings which will include specialized training for the officers. CT Parole already has specialized training for their officers.

DCA Latulippe discussed how the National Office has requested that every state provide their "Sanctions Matrix" which would be posted on the Interstate Compact for Adult Offender Supervision (ICAOS) website. There was discussion as to whether or not CT's Response to Non-Compliance policy would have the information the National Office is requesting. Although there was no deadline associated with the request, Commissioner Roberge would like both Probation and Parole to provide their information to the National Office ASAP; preferably by the next State Council meeting.

10. Parole update:

Executive Director of BOPP John Defeo will inquire with DOC Commissioner Dzurunda if he would like to remain a member of the State Council. He will also speak with Chairperson Erica Tindall of the Board of Pardons and Paroles to determine if she prefers for Defeo to vote in her absence during future State Council meetings. In addition, it was mentioned that Parole will be confirming a new chairperson soon and there has been discussions about the Board of Pardons and Parole (BOPP) acquiring the supervision of the IC cases. New policies have been created regarding IC as well as a training academy specifically for Parole Officers and case management.

Rebecca Flemming has retired but Joseph Haggan expressed a commitment to the process and is open to creating training for their field officers in an effort to become more proficient with their IC cases.

11. Other Business:

Office of Victim Services Director Linda Cimino was inadvertently removed from the most recent list of State Council members at the time other changes were submitted. She has been and continues to be a member of the State Council. DCA Latulippe expressed her apologies and will make the correction.

12. Conclusion of meeting

Commissioner Roberge requested a motion to adjourn the meeting. Steve Strom motioned for the meeting to adjourn which was seconded by DCA Latulippe.

Next meeting: July 16, 2014