

Interstate Compact for Adult Offender Supervision
and
Interstate Compact for Juveniles
2023 Report to the Legislature



Transforming lives for a safer Minnesota

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This information will be provided in alternative format upon request.

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BACKGROUND

The Interstate Compact for Adult Offender Supervision (ICAOS) is the law that regulates the interstate movement of adults on probation and supervision. The ICAOS is enacted in all 50 states and 3 territories. In March 2002, Minnesota passed Minn. Stat. §§ [243.1605](#), [243.1606](#), and [243.1607](#) regarding the ICAOS which authorizes individuals sentenced in Minnesota to apply for transfer to another state for community supervision. Minnesota statute §243.1606 established an Advisory Council on the ICAOS in Minnesota which works with the Interstate Commission on Adult Offender Supervision, the national governing body, to ensure compliance with ICAOS and related rules. This statute also directs the Advisory Council to report to the governor and the chairs and ranking minority members of the committees of the senate and house of representatives 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.

Similarly, the Interstate Compact for Juveniles (ICJ) is the law that regulates the interstate movement of juveniles who are under court supervision or need to be returned to their home states as a runaway, escapee, absconder, or juvenile delinquent and is also enacted in all 50 states and 3 territories. In May 2010, Minnesota passed Minn. Stat. § [260.515](#) regarding the Interstate Compact for Juveniles (ICJ), which authorized juveniles in Minnesota to apply for transfer to another state for community supervision. Minnesota is required to establish an advisory committee which works with the Interstate Commission for Juveniles, the national governing body, to implement the ICJ and related rules. The statute also created similar legislative reporting requirements, including the ICJ annual report.

In Minnesota, similar to other states, the ICAOS advisory council and the ICJ advisory committee are combined and act as one Advisory Council that oversees implementation of both the ICAOS and ICJ.

ACTIVITIES OF THE ADVISORY COUNCIL ON THE ICAOS & ICJ IN MINNESOTA

In 2023, Minnesota updated MN Statute 243.1606 to accurately reflect the Advisory Council's required membership. The following statutory language became effective on July 1, 2023:

243.1606 ADVISORY COUNCIL ON INTERSTATE ADULT OFFENDER SUPERVISION.

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Subdivision 1. Membership.

The Advisory Council on Interstate Adult Offender Supervision shall be combined with the State Advisory Council for the Interstate Compact for Juveniles established by section [260.515](#) and consist of the following individuals or their designees:

- (1) the governor;
- (2) the chief justice of the supreme court;

- (3) 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;
- (4) two representatives, one from the majority and the other from the minority party, selected by the house speaker;
- (5) the compact administrator, selected as provided in section [243.1607](#);
- (6) a representative from the Department of Human Services regarding the Interstate Compact for the Placement of Children;
- (7) the executive director of the Office of Justice Programs in the Department of Public Safety;
- (8) the deputy compact administrator as defined in section [260.515](#);
- (9) a representative from the State Public Defender's Office;
- (10) a representative from the Minnesota County Attorney's Association;
- (11) a representative from the Minnesota Sheriff's Association;
- (12) a representative from the Minnesota Association of County Probation Officers;
- (13) a representative from the Minnesota Association of Community Corrections Act Counties;
- (14) a representative from the community at large;
- (15) a representative from a community organization working with victims of crimes; and
- (16) other members as appointed by the commissioner of corrections.

The council may elect a chair from among its members.

Subd. 2.Duties.

The council shall oversee and administer the state's participation in both compacts described in sections [243.1605](#) and [260.515](#). The council shall appoint the compact administrator as the state's commissioner. In addition to these duties, the council shall develop a model policy concerning the operations and procedures of the compact within the state.

Subd. 3.Annual report.

By March 1 of each year, the council shall 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 on its activities along with providing a copy of the annual report published by the national commission that includes the activities of the interstate commission and executive committee as described in section [243.1605](#) for the preceding year. The council's annual report must also include information required of the

State Advisory Council for the Interstate Compact for Juveniles as described in Article IV in section [260.515](#).

Effective July 1, 2023, Minnesota also updated statutory language in MN Statute 260.515 as follows:

260.515 INTERSTATE COMPACT FOR JUVENILES, ARTICLE IX
THE STATE ADVISORY COUNCIL

Each member state shall create a State Advisory Council for the Interstate Compact for Juveniles. The Advisory Council on the Interstate Compact for Juveniles shall be combined with the Advisory Council on Interstate Adult Offender Supervision established by section [243.1606](#) and consist of the following individuals or their designees:

- (1) the governor;
 - (2) the chief justice of the Supreme Court;
 - (3) 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;
 - (4) two representatives, one from the majority and the other from the minority party, selected by the house speaker;
 - (5) a representative from the Department of Human Services regarding the Interstate Compact for the Placement of Children;
 - (6) the compact administrator, selected as provided in Article III;
 - (7) the executive director of the Office of Justice Programs or designee;
 - (8) the deputy compact administrator;
 - (9) a representative from the State Public Defender's Office;
 - (10) a representative from the Minnesota County Attorney's Association;
 - (11) a representative from the Minnesota Sheriff's Association;
 - (12) a representative from the Minnesota Association of County Probation Officers;
 - (13) a representative from the Minnesota Association of Community Corrections Act Counties;
 - (14) a representative from the community at large;
 - (15) a representative from a community organization working with victims of crimes;
- and
- (16) other members as appointed by the commissioner of corrections.

The council may elect a chair from among its members.

The council shall oversee and administer the state's participation in the compact as described in Article III. The council shall appoint the compact administrator as the state's commissioner.

The state advisory council will advise and exercise advocacy concerning that state's participation in Interstate Commission activities and other duties as may be determined by that state, including, but not limited to, development of policy concerning operations and procedures of the compact within that state.

Expiration; expenses. The provisions of section [15.059](#) apply to the council except that it does not expire.

2023 membership included:

- ✓ Steve King, Chair, Mower County Court Services Director, representing county probation officers
- ✓ Suzanne Elwell, Vice-Chair, Victim's Representative
- ✓ Honorable Richard Kyle, Minnesota Court of Appeals
- ✓ Allen Godfrey, Interstate Commissioner, Department of Corrections (DOC) resigned effective 7-31-2023
- ✓ Tracy Hudrlik, Interstate Commissioner and Deputy Compact Administrator, DOC (effective 8-1-2023)
- ✓ Awaiting Appointment, Office of Governor Tim Walz; (previously Michael McGuire)
- ✓ Awaiting Appointment, Community Organization working with Victims of Crime
- ✓ Awaiting Appointment, Minnesota State Senate; (previously Warren Limmer)
- ✓ Awaiting Appointment, Minnesota State Senate
- ✓ Elliott Engen, State Representative
- ✓ Kelly Moller, State Representative
- ✓ William Ward, State Public Defender, representing public defenders;
- ✓ Shane Baker, Minnesota County Attorney's Association
- ✓ Mical Peterson, DHS representing ICPC
- ✓ James Stuart, representing the Minnesota Sheriffs' Association
- ✓ Gina Evans, community representative
- ✓ Marlena Hanson, community representative
- ✓ Andrew Larson, representing Community Corrections Act Counties.
- ✓ Callie Hargett, Juvenile Justice Advisory Committee

Advisory Council staff from the DOC included:

- ✓ Paul Schnell, Commissioner of Minnesota Department of Corrections
- ✓ Emily Lefholz, Legislative Director, Minnesota Department of Corrections
- ✓ Rebecca Holmes-Larson, Executive Officer of Hearings and Release, Minnesota Department of Corrections

- ✓ Rebecca Hillestead, Deputy Compact Administrator, Interstate Compact for Juveniles, Minnesota Department of Corrections

The Advisory Council first met on August 21, 2002, and meets on a semi-annual basis or as needed.

In 2023, the Advisory Council met on May 5th via ZOOM and November 15th in person and via ZOOM video conference technology.

The primary focus of the Advisory Council in May 2023 was the review of rule amendment proposals for both the adult and juvenile interstate compacts. The council reviewed the rule proposals and determined how Minnesota would vote on those proposals at the annual business meeting. The council also reviewed new legislation making individuals under supervision eligible to vote. The council reviewed the proposed communication plan as it related to interstate compact cases. Finally, due to the planned retirement of Interstate Compact Commissioner and Field Services Director, Al Godfrey, the council voted to appoint Tracy Hudrlik, Deputy Compact Administrator, the new Interstate Compact Commissioner, effective 8-1-2023.

During the November 2023 meeting, an overview of the Adult and Juvenile Compact activities was provided to the council members. Both adult and juvenile national annual reports and new rules were reviewed. The council voted to require statewide mandatory training for all adult interstate compact users to ensure that users fully complied with all rules, policies and procedures. The council reviewed the new legislative language designating a sheriff's transportation fund to offset costs to counties when required to retake an interstate compact client from another state. The council further reviewed new probation cap language and the procedures that were put in place to address this as it pertained to interstate compact cases.

More information about interstate commission activity can be found in annual reports.

Link to Adult annual report:

<https://interstatecompact.org/about/annual-reports/2023>

Link to Juvenile annual report:

<https://juvenilecompact.org/node/2233>

ACTIVITIES OF THE INTERSTATE COMMISSIONS

The ICAOS Interstate Commission is comprised of one voting member from each state party to the compact. The role of the Interstate 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 clients are authorized to relocate across state lines. The Interstate 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 Interstate Commission also monitors compliance with rules governing interstate movement of clients, initiates interventions to address and correct noncompliance, and coordinates training and education regarding regulations of interstate movement of clients for officials involved in such activity.

The Interstate Commission is required to submit an annual report on the activities of the Commission. The current annual report (FY 2023), as well as past reports and newsletters regarding the Interstate Commission’s activities, can be found on the ICAOS site: www.interstatecompact.org

CLIENT MOVEMENT AS REPORTED IN ICOTS:

	Probation	Parole	Both
Number of clients under supervision in Minnesota from other states as of 12-31-2023	1663	510	51
Number of Minnesota clients under supervision in other states as of 12-31-2023	2438	396	0

Interstate Commission for Juveniles is the governing body of the Interstate Compact for Juveniles (ICJ). Commission members include representatives from all 50 states, the District of Columbia, and the US Virgin Islands, who work together to preserve child welfare and promote public safety. The Commission is responsible for promulgating and enforcing rules to implement the ICJ. The Interstate Commission is required to submit an annual report on the activities of the Commission. The current annual report (FY 2021), as well as past reports and newsletters regarding the Interstate Commission’s activities, can be found on the national website: www.juvenilecompact.org and is attached as Appendix B.

Incoming Juveniles (July 1, 2022-June 30, 2023):

Parole Supervision	7
Probation Supervision	101

Outgoing Juveniles (July 1, 2022-June 30, 2023):

Parole Supervision	0
Probation Supervision	73

SUMMARY

The Advisory Council has been in place for over 20 years and continues to meet as needed to address issues that arise regarding the ICAOS and ICJ since adoption. The Advisory Council has an active membership with well attended meetings.