

INTERSTATE COMMISSION FOR
ADULT OFFENDER SUPERVISION

01-2020 - EMERGENCY GUIDELINES

POLICY NUMBER	ISSUED	REVISED
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I. Authorization

Article I of the ICAOS BYLAWS provides that, the Commission “is established to fulfill the objectives of the Compact” through “the promulgation of binding rules and operating procedures” governing “oversight and coordination of offender transfer and supervision activities…"

Article VII §1 specifies that the Executive Committee “shall be empowered to act on behalf of the Commission during the interim between Commission meetings…”

II. Policy

This policy allows consistent treatment of states by defining procedures for providing specific documentation of disruptions of Compact related duties during emergency conditions. This policy is intended to be applied in a limited manner consistent with the duty to maintain required services to the greatest extent possible under the emergency circumstances.

A. The Interstate Compact Office of any state affected by an emergency shall, to the best of its ability, ensure that Compact duties related to coordination of offender transfer and supervision per terms of the Compact continue.
B. States must continue to supervise interstate offenders without distinction from supervision of intra-state offenders.
C. States are required to provide documentation of authority for exercise of any suspension or delay in Compact duties, timelines for such disruptions, and the specific duties affected.
D. The safety, health, and well-being of supervised individuals, victims, staff, and communities shall be considered when making decisions and determining actions related to Compact duties.
E. States shall cooperatively work to address each case on an individual basis with an emphasis on communication designed to foster public safety and positive supervision outcomes.
F. The National Office shall serve as a communications liaison and announce updates and information regarding emergent conditions and affected states.

III. Scope

A. This policy shall encompass all types of emergencies that impact fulfillment of Compact duties by states, territories, and districts subject to the Compact. Such disruptive conditions may include but are not limited to:

- prolonged utility failures;
- natural disasters;
- hazardous material incidents;
- public health crises;
- terrorist or military attacks;
- cyber-attacks;
- presidential executive declarations of emergency;
- judicial system declarations of emergency; or,
- gubernatorial declarations of emergency.

B. Suspensions or delays in Compact duties shall be defined by any period between one (1) and up to sixty (60) days from implementation of such delays and may be extended as specified in Procedures.

IV. Procedures

A. The Commissioner of any state affected by an emergency as defined in this policy must submit a formal written plan to the National Office if it is determined that the emergency conditions affect the state's ability to perform its Compact duties. Such notice must include:

1. Specific contact information to allow for continued or ongoing communication;
2. Date of effect;
3. Authority by which changes are adopted; and
4. Explanation and description of specific Compact duties affected.

B. If the emergency prevents the use of the Interstate Compact Offender Tracking System (ICOTS), the affected state shall provide the National Office with a written plan for continuation of vital Compact duties, including submission of essential information consistent with Part A.

C. During cases involving emergency evacuations or relocations, states that receive supervised individuals from an affected area must notify the Compact Office in the sending state immediately and cooperate with the sending state of original jurisdiction regarding proper transfer documentation.

D. If essential transportation services are unavailable or severely limited due to government-imposed travel restrictions, airport closures, and/or staff availability, alternative methods for transportation and supervision must be considered and detailed in written plans as required in Part A.

E. In the event of an emergency affecting a member state's ability to perform its Compact duties the Executive Committee may reconsider compliance standard requirements and enforcement in light of documentation submitted in accordance with Part A and in consideration of the nature and scope of the emergency (See Administrative Policy 05-2009).