COMPLIANCE GUIDE

Interstate Compact for Adult Offender Supervision (ICAOS)

Purpose

The Commission's approach to compliance emphasizes cooperation, accountability, and continuous improvement rather than punitive measures. By addressing compliance concerns proactively and collaboratively, the Commission promotes consistent application of Compact rules, effective operations, and public safety. This guide provides states with practical tools, resources, and guidance to identify and resolve compliance concerns, strengthen operational practices, and fulfill their responsibilities under the Interstate Compact for Adult Offender Supervision (ICAOS).

Compliance Requirements and Professional Conduct

Commissioners serve as the primary point of contact for state compliance matters and are responsible for reviewing compliance reports, responding to findings, and developing and implementing corrective action plans when necessary. Commissioners receive quarterly and annual compliance dashboard reports and findings from annual audits. They are also responsible for working with other Commissioners to resolve disputes and ensuring that compliance concerns are addressed promptly and appropriately.

Compliance responsibilities include:

- **Adhering to Timeframes:** Meeting deadlines established by ICAOS rules and policies.
- **Meeting Compliance Dashboard Standards:** Maintaining the performance standards established by the Commission.
- **Maintaining Privacy Policies and Data Integrity:** Protecting confidential information and ensuring the accuracy and integrity of data in the Commission's national information system.
- **Maintaining State Council Membership:** Ensuring the state maintains an active state council in accordance with Compact requirements.
- **Coordinating with External Partners:** Working with courts, law enforcement, sheriffs, jails, and other stakeholders to ensure practices are consistent with Compact requirements.
- **Consistent Rule Interpretations:** Promoting uniform understanding and application of ICAOS rules.
- **Timely Communication and Resolution:** Addressing concerns with other states promptly and escalating unresolved issues within established timeframes.
- **Professional Conduct:** Maintaining respectful, constructive, and professional relationships when conducting Compact business.

Professional Conduct

The Commission's Code of Conduct establishes expectations for professional behavior, communication, and collaboration among Commission members. Members are expected to address concerns promptly and work toward timely resolution of disagreements to prevent issues from escalating or unnecessarily disrupting the Commission's work. Members are expected to:

- Treat others with dignity, courtesy, and fairness.
- Address disagreements respectfully and without intimidation, hostility, or personal attacks.

- Participate in discussions and negotiations in good faith.
- Work collaboratively toward solutions.
- Respect and comply with duly adopted Commission decisions, even when they previously opposed those decisions.

Members who experience or observe unprofessional conduct are encouraged to report concerns to the Commission Chair or Executive Director. The Executive Committee may facilitate discussions, mediation, or formal review, as appropriate, and take reasonable steps to ensure concerns are addressed and resolved without undue delay.

See Policy 01-2026, Section II

Resolving Compliance Concerns

The Commission uses a graduated approach to resolving compliance concerns. States are expected to address disagreements directly and collaboratively before seeking formal Commission intervention. The process emphasizes timely communication, documented resolution efforts, and early involvement of Commissioners when necessary.

Facilitated Informal Resolution

Informal resolution is the preferred first step when states disagree about Compact rule interpretations, procedures, or case handling. The goal is to clarify facts, identify solutions, and resolve concerns before they require formal action.

Step 1: Contact the Other State

When a concern is identified, the Commissioner or DCA must notify their counterpart in the other state within five (5) business days of discovery. The notified state must acknowledge receipt and provide an initial response within five (5) business days. If no response is received within that timeframe, the matter must be escalated to the Commissioners of both states and, if necessary, referred to the National Office for assistance.

Step 2: Escalate Unresolved Concerns

If the concern is not resolved within thirty (30) calendar days, the matter must be escalated to the state Commissioners. States should avoid prolonged exchanges between DCAs when progress is not being made. If initial discussions do not produce a resolution, the matter should be elevated promptly.

Step 3: Request National Office Assistance

If the Commissioners cannot resolve the concern collaboratively, the matter must be referred to the National Office for facilitated assistance. States may also contact the Executive Director for assistance at any time after identifying a concern. When requesting assistance, Commissioners should provide:

- The states involved.
- The specific rule, policy, or procedure in question.
- Relevant case numbers and details, when applicable.
- A summary of the concern.
- Previous communications and efforts to resolve the matter.
- Any relevant supporting documentation.

The Executive Director will work with the involved states to clarify the issue and facilitate a resolution. Depending on the circumstances, the Executive Director may consult standing committees, subject matter experts, or legal counsel, or coordinate additional training, technical assistance, or audit support.

Step 4: Formal Resolution, if Necessary

If facilitated resolution efforts are unsuccessful, the matter is escalated for formal resolution under Rule 6.102. States must maintain records of their communications and attempted resolutions and provide that documentation to the National Office if the matter proceeds to formal action.

See Rule 6.101 and Policy 01-2026, Section III

Formal Complaint Process

Formal complaints are used when informal resolution efforts have been unsuccessful and the alleged noncompliance is serious, ongoing, or persistent enough to require additional Commission intervention.

Step 1: Submit a Formal Complaint

The complainant state submits a written complaint to the Executive Director. The complaint must include:

- The alleged noncompliant state.
- Relevant case numbers, if applicable.
- The ICAOS rule, policy, or statute allegedly violated.
- A description of the concern, including relevant facts and dates.
- A timeline of events and supporting documentation.
- The outcomes of previous attempts to resolve the matter informally.

Step 2: Notification and Response

Upon receiving a formal complaint, the Executive Director acknowledges receipt to the complainant state and notifies the state alleged to be noncompliant. The responding state must submit a written response within fifteen (15) business days.

Step 3: Compliance Committee Review

The Executive Director provides the Compliance Committee with the complaint, the responding state's documentation, and any record of prior or related complaints. Within thirty (30) days of receipt, the Compliance Committee evaluates the information, considers any written or verbal submissions, determines whether the state is in default, and recommends appropriate remedial action. The National Office provides the Committee's recommendation to the involved states for informational purposes.

Step 4: Executive Committee Decision

The Executive Committee reviews the Compliance Committee's recommendation and votes to approve, modify, or reject the proposed action. The National Office maintains records of complaints, responses, and outcomes.

See Rule 6.101 and Policy 01-2026, Section IV

Compliance Tools and Resources

Rule Interpretation and Policy Guidance

Commissioners and compact personnel have access to various tools to address questions about rules and policy applications effectively. The Commission's website offers whitepapers, quick reference guides, a comprehensive bench book, and advisory opinions. Commissioners can submit a request for a formal advisory opinion to the executive director that includes:

- A summary of the relevant facts or specific case in question
- Rules or policies relevant to the inquiry
- The state's interpretation of the rules or policies
- A specific and detailed question to be addressed

The Executive Director consults with legal counsel and the Executive Committee to determine whether a formal advisory opinion is necessary or whether the question can be addressed through other guidance. Formal advisory opinions are issued in writing and circulated to member states.

Monitoring Compliance

Dashboards

The Commission provides more than 50 dashboard reports offering performance data and operational insights. More than 20 focus on compliance, helping states monitor adherence to required standards and timeframes, identify trends, and address concerns before they become recurring problems.

The Commission monitors six dashboards for compliance with established timeframes. Commissioners and DCAs receive quarterly compliance performance updates. Each July, the Compliance Committee reviews dashboard standards to evaluate states failing to meet an 80% compliance threshold for the prior fiscal year.

Compliance dashboards include:

- Rules 4.102 & 4.112 (a)(1) & (c): Case Closure Notice
- Rule 4.112 (d): Case Closure Notice Reply
- Rule 4.106: Requested Progress Report
- Rules 3.101-1 (b) 3.101-1 (c), 3.103 (e), 3.103-1 (e), 3.103-2 (b), 3.103-3 (b)(1) & 3.101-3(c): Reporting Instructions Reply
- Rule 3.104: Time Allowed for Investigation
- Rule 4.109 (c): Response to Violation Reports

States that fail to meet the required standards in one or more compliance dashboards for a fiscal year are notified and given one quarter to achieve compliance. Continued noncompliance may require a corrective action plan and, if not resolved within the timeframe established by Commission policy, may result in monetary penalties. States are encouraged to review dashboard performance regularly, identify underlying causes of missed deadlines, and implement training or process improvements before formal intervention becomes necessary.

See Policy 5-2009 and Policy 01-2026

Annual Audits

Annual performance audits assess how member states manage required elements of Compact operations. Each year's audit focuses on selected processes based on operational needs, emerging

concerns, and Commission priorities. Audit findings help states identify areas for improvement, strengthen internal procedures, provide targeted training, and develop corrective action plans when necessary. The National Office and Compliance Committee are available to assist states in understanding audit findings, identifying solutions, and implementing improvements.

See Policy 5-2009

Correcting Compliance Issues

Corrective Action Plans

A corrective action plan (CAP) identifies the steps a state will take to address noncompliance, improve operations, and prevent recurrence. CAPs are intended to establish clear expectations, measurable outcomes, and accountability for implementing necessary improvements. The CAP must be signed by the Commissioner and include:

1. **Problem Statement:** A clear description of the compliance concern.
2. **Desired Outcome:** The improvement or result the state intends to achieve.
3. **Implementation Start Date:** When corrective activities will begin.
4. **Responsible Party:** The individual or individuals accountable for implementation.
5. **Stakeholders, Resources, and Constraints:** Parties involved, resources needed, and potential barriers.
6. **Due Date:** The expected completion date.
7. **Measures of Success:** Metrics that demonstrate whether corrective actions have been effective.

CAPs are approved by the Executive Committee. States must submit quarterly progress reports documenting implementation, progress toward established goals, and any challenges affecting completion. Once the CAP has been fully implemented, the Commissioner must notify the National Office and the Executive Committee will review the matter and vote on whether to close it.

Tips for Preventing Compliance Concerns

States are encouraged to take proactive steps to identify potential concerns, strengthen operations, and prevent recurring compliance issues. Recommended practices include:

- **Monitor Performance:** Review compliance dashboards regularly to identify missed deadlines, performance trends, and emerging concerns.
- **Provide Ongoing Training:** Ensure DCAs, compact personnel, and relevant external partners understand applicable rules, policies, and procedures.
- **Use System Notifications:** Monitor system-generated notifications, pending activities, and approaching deadlines.
- **Communicate Early:** Contact other states promptly when questions or concerns arise.
- **Document Resolution Efforts:** Maintain records of communications, decisions, and actions taken to resolve disagreements.
- **Escalate Appropriately:** Involve Commissioners and the National Office when concerns cannot be resolved through initial communication.
- **Engage State Councils:** Use state councils to strengthen coordination with courts, law enforcement, correctional agencies, and other external partners.
- **Seek Assistance:** Take advantage of National Office training, technical assistance, and other available resources before concerns become persistent.

The Commission's goal is to help states achieve and maintain compliance through early intervention, collaboration, and continuous improvement.