

**HOUSE JUDICIARY COMMITTEE
REPRESENTATIVE LAWRENCE R. KLEMIN, CHAIRMAN
MARCH 9, 2021**

**AMY VORACHEK, DIRECTOR OF ADMINISTRATIVE SERVICES
NORTH DAKOTA DEPARTMENT OF CORRECTIONS & REHABILITATION
PRESENTING TESTIMONY SENATE BILL 2106**

Chairman Klemin and members of the Judiciary Committee, my name is Amy Vorachek, I am the appointed North Dakota Commissioner for the Interstate Commission for Adult Offender Supervision (ICAOS), and I am also the Director of Administrative Services with the North Dakota Department of Corrections and Rehabilitation. Today I am here to testify on behalf of the department in support of Senate Bill 2106, which amends Section 12-65-08 of the North Dakota Century Code.

The Interstate Compact for Adult Offender Supervision (ICAOS), governs the interstate movement of adult probationers and parolees subject to supervision. If the individuals with North Dakota supervision being supervised in another state are alleged to have violated the terms of supervision in that state, the Compact rules require North Dakota to retake these individuals. As a result, North Dakota is responsible for paying for the return of those individuals to North Dakota. Legislation was enacted to create the violation transportation fund, referred to as Fund 321. The fund pays for bringing North Dakota adults under supervision back to North Dakota when required by the Compact. Section 12-65-08 specifically relates to fees paid by North Dakota individuals transferring to other states through the Compact or traveling to other states in compliance with the Compact and payments made by agencies for individuals transferring to other states.

Senate Bill 2106 adds the language “or parolees” to clarify that the fees for interstate travel apply to individuals on probation or parole who have transferred to another state via the Compact. Fund 321 is applicable to both probationers and parolees; therefore, the amended

legislation would clarify that the fees for interstate travel apply to both probationers and parolees.

Senate Bill 2106 also removes language regarding the department paying the fee when it has been waived. In practice the department waives very few fees but there may be instances where waiving fees could be justified. An example would be when an individual on supervision has serious life ending medical issues, limited funds and requests to transfer their supervision to another state such as South Dakota to live with family.

Senate Bill 2106 also adds language to provide authority for the department to pay a fee of one hundred fifty dollars when the application is made by a parolee to transfer supervision to another state.

Chairman Klemin and members of the Judiciary Committee, I ask that you support Senate Bill 2106. I will now stand for questions.