AAICPC/ICJ
Memorandum of Understanding
Work Group Second Meeting
Minutes

Wednesday June 1, 2011
2:00 p.m. EDT

I. Members in Attendance:

1. Thomas Brinton (IL) AAICPC Co-Chair
2. Rose Ann Bisch (MN) ICJ Co-Chair
3. Maria Genca (CT) ICJ/AAICPC
4. Caryl Jefferson (FL) AAICPC
5. Sharon F. Curry (MA) AAICPC
6. Michael Reddish (NE) ICJ
7. Donna Bonner (TX) ICJ
8. Gina Gelnett (TX) AAICPC

II. Ex-Officios and Staff in Attendance:

1. Stephen Pennypacker (FL) AAICPC Ex-Officio
2. Ashley Lippert, ICJ Executive Director
3. Jack Branum, ICJ Project Manager
4. Mindy Spring, ICAOS Training & Administrative Coordinator

Ex-Officios Not in Attendance:

1. Carla Fults (DC) AAICPC, Ex-Officio
2. Terry Clark (PA) ICJ Ex-Officio

III. Guests in Attendance:

1. Rosalind Hyde (CA) AAICPC
2. Regi Daniel (DC) AAICPC
3. Billie Greer (IL) ICJ
4. Rich Ludolph (IL) ICJ
5. Shannon Foster (NV) AAICPC
6. Patricia Burch (NJ) AAICPC
7. Dawne Gannon (SC) ICJ
8. Cheri Stewart (TN)
9. Laura Kirksey
10. LoAnn Martin
11. Loretta Perez

Call to Order

R. Bisch called to order the second meeting of the AAICPC/ICJ Work Group at 2:05 p.m. EDT.

Roll Call

A. Lippert, ICJ Executive Director, called the roll. 8 of 8 *voting* members were in attendance, establishing a quorum. R. Bisch gave an overview of using WebEx features.

Agenda

Motion to approve the agenda made by D. Bonner, seconded by M. Reddish. Agenda was approved.

Minutes

Motion to approve the May 11, 2011 meeting made by D. Bonner, seconded by S. Curry. Minutes were approved as drafted.

Housekeeping

R. Bisch noted the meeting length is scheduled for 90 minutes, the next meeting will be scheduled during new business, she provided an overview of the guests' role as well as the opportunity for guests to offer comments during new business.

Legal Review

A. Lippert provided an overview of ICJ Advisory Opinion 2-2011 addressing which juveniles the new ICJ applies.

T. Brinton noted that ICPC requires these juvenile to transfer through ICPC, but there is nothing that prevents placement through ICJ.

D. Bonner noted on pg. 3 of the Advisory Opinion, the MOU may lead to further clarification and the involvement of both Compacts with respect to certain cases.

ICPC Article VI. Institutional Care of Delinquent Children

ICPC Article VIII (b) - Statute

> This compact shall not apply to: (b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has the force of law.

R. Bisch noted Article VI of ICPC's statute requires specific juveniles to be transferred through ICPC and although Article VIII (b) specifically states that only one interstate compact would apply, Rick Masters, ICJ legal counsel, indicated this would not pose an issue.

As identified in the discussion paper, T. Brinton noted the differences in each organization's purpose and issues that may need to be focused on in the MOU in addition to residential treatment.

ICPC only asks for reports and does not govern direct supervision.
ICJ has obligations around travel permits.

M. Reddish noted that ICJ requires services as determined by the sending state and/or judge which may be outside of probation or parole supervision for delinquent youths. ICJ places delinquents from schools, parents, etc. that may want juveniles to be placed in residential programs.

Old Business

Review motion: from 5/11/2011 mtg. D. Bonner (ICJ) made the motion that the work group move forward with the long term plan of action to segregate the areas of concern into categories (residential, family, and runaway), study the historical data, acquire applicable scenarios, and make recommendations to the Memorandum of Understanding. M. Reddish (NE) seconded. The motion passed.

T. Brinton reported on the "Open Discussion Conference Call" (5/19/2011) regarding residential issues and determining when both organizations should be involved.

Points of discussion:

- Issuing national warrants for delinquent youth in a residential program.
- Involving practitioners (Judges, treatment staff, etc.) to work with the workgroup in rewriting treatment regulations.
- Retention of jurisdiction when receiving state sees adjudicated delinquent as an adult.
- Acceptable time frames.
- Joint reporting of failed placements.
- No residential placement waiver exists for ICPC.
- Identifying types of runaways.
- Residential program assumes supervision when committing a delinquent youth.
- Training should be focused on knowing rules, nuances, issues, public safety.
- Work with facilities when taking in serious offenders.
- The sending state should notify residential programs of high risk youth and share their criminal history.
- Benefits to evoking both compacts.
- Probation and parole officers may be hired out by facilities to protect the community and provide supervision.
- Delinquent behavior should be shared with all interested parties in receiving state.

T. Brinton stated that each organization will add 3 new members to the work group to assist in categorizing the issues to define in the MOU.

R. Bisch suggested sectioning out the MOU (i.e. runaways, residential, etc.) T. Brinton noted the members will be divided into groups on each topic.

New Business

Open Discussion - Forum for Guests to Comment

- T. Brinton discussed how the topics would be addressed in the MOU.

- D. Bonner suggested integrating training on the subject at the upcoming annual business meeting.
- R. Bisch indicated she attended ICPC meeting in Minnesota. Representatives should attend each organization's meetings to approach issues jointly.
- T. Brinton indicated the goals for the first two meeting were to address: *runaways, placements in family setting, treatment and transitional issues.*
- S. Pennypacker noted the importance of identifying timetable.

- R. Bisch stated ICJ's goal is to move the completion of the MOU along.
- T. Brinton recommended the MOU give direction regarding issues.
- M. Reddish noted the MOU should be general and not intended to create rules to be enforced.

Next meeting will be June 27th at 2 pm EST.

- T. Brinton noted the committee will convene residential discussions at the next meeting.

Adjourn

Motion to adjourn made by D. Bonner, seconded by M. Reddish. Meeting adjourned at 3:37 pm EDT.