



INTERSTATE COMMISSION FOR JUVENILES

Midwest Region Meeting

Minutes

Tuesday, June 22, 2010

2:00 p.m. EST

Region Members in Attendance:

1. Mike Reddish (NE) Chair
2. Billie Greer (IL)
3. Michael Ruedisale (MI)
4. Nancy Allard (SD)
5. Shelley Hagan (WI)
6. Julie Hawkins (MO) Ex-Officio

Region Members Not in Attendance:

1. Dennis Casarona (KS)
2. Lisa Bjergaard (ND)

Guests in Attendance:

1. Rich Ludolph (IL)
2. Ted Forrest (MI)
3. Pamela Helbling (ND)
4. Kari Raumbaugh (NE)
5. Catherine Corbet (NE)
6. Rita Krusemark (NE)

ICJ Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Jack Branum, Project Manager
 3. Tom Watters, MIS Project Manager
 4. Emma Davis, Administrative and Logistics Coordinator
-

Call to Order

Chair Reddish called the meeting to order at 2:01 p.m. EST.

Roll Call

A. Lippert (ICJ) called the roll. Six of the eight region members were present. Five of the seven *voting* members were present. A quorum was established.

Agenda

The Agenda was approved by acclamation.

Discussion

Chair Reddish welcomed the attendees to the first Midwest meeting to discuss the 2010 proposed rule amendments currently posted for comment. The purpose of the meeting was to collectively provide regional feedback to the Rules Committee. Chair Reddish opened the floor to S. Hagan (WI) who had to exit the meeting early.

Rule 4-101: Processing Referrals proposed by the East Region

- S. Hagan (WI) expressed a positive response to the proposal with the exception of the language in items (c) and (d). J. Hawkins (MO) added the Rules Committee did not recommend the rule due to the eligibility restrictions in items (c) and (d). The Committee agreed with items (a) and (b).
- **B. Greer (IL) made the motion that the Midwest Region support the proposed amendment with the exception of items (c) and (d). S. Hagan (WI) seconded. The motion passed.**

Rule 4-103: Transfer of Supervision Procedures proposed by the Sex Offender Ad Hoc Committee

- The Region discussed the issues and differences between parole and probation for the transfer of supervision for sex offenders.
- J. Hawkins (MO) expressed concern to the language in Item #3. Once implemented as a rule the ICJ offices must abide by a rule and take on a responsibility beyond their ability to control.
- **B. Greer (IL) made the motion to recommend the rule as written. The motion died for a lack of a second.**
- **M. Reddish (NE) made the motion to recommend the rule with the exception to eliminate Item #3. N. Allard (SD) seconded. B. Greer (IL) opposed. The motion passed.**

Rule 4-106: Closure of Cases proposed by the Rules Committee

- The Region discussed striking the last sentence in Item #4 to allow a non-response as an adequate means to close a case. J. Hawkins (MO) added the Rules Committee was concerned with another authority closing out their case.
- **S. Hagan (WI) moved to support the changes in Item #4 with the exception to retain the last sentence. B. Greer (IL) seconded. The motion failed.**

S. Hagan (WI) exited the meeting, leaving no quorum.

- The Region discussed Item #1 and the repercussions of closing a case due to an adult conviction.
- **The Region agreed to support the changes in Item #1 with the exception to add the language “to incarceration” after adult sentence.**

New Rule – Probable Cause Rule proposed by the Probable Cause Ad Hoc Committee

- IL and MO do not support the rule; the concern is the additional costs to support and the potential for compliance issues. The Region discussed the current etiquette of Compact offices in adhering to the Supreme Court ruling without a rule in place.
- A. Lippert explained the probable cause rule addresses *new violations* and a juvenile must be afforded the right to a hearing to prove guilt or innocence of a violation if the alleged violation could result in revocation. This is separate from the waiver of due process in Form IA/VI. The rule would apply when a violation occurs in the state where the juvenile is located and where the alleged violation occurred.

- The Region discussed and compared the rule to the Interstate Commission for Adult Offender Supervision Rule 5.108.
- **The region agreed to support the Rules Committee to not recommend the rule for adoption.**

6-108: Warrants proposed by the East Region

- The Region compared the two proposals to Rule 6-108.
- **The Region agreed not to recommend the East Region’s proposal.**

6-108: Warrants proposed by the Rules Committee

- The Region questioned the reference to Rule 6-109(3) and would like the Rules Committee to review the correlation.
- **The Region agreed to support the recommendation with the exception to strike the last sentence in Item #1 and to clarify the reference to Rule 6-109(3).**

6-106: Public Safety proposed by the Rules Committee

- K. Raumbaugh (NE) suggested including “no buses” in the rule.
- B. Greer (IL) and other states agreed busing was not a viable mode of transportation.
- **The Region agreed with the Rules Committee to delete “accompany” on the proposed amended Form III.**
- **The Region agreed to support the rule.**

6-106: Public Safety proposed by the East Region

- The Region discussed the new language and the deletion of the word *ensure*, noting it weakened the rule.
- **The Region agreed not to support the rule.**

Old Business

None

New Business

None

Adjourn

Chair Reddish adjourned the meeting.