

INTERSTATE COMMISSION FOR JUVENILES
2021 Virtual Annual Business Meeting



2021 Public Hearing Minutes
September 9, 2021
3:00 p.m. ET
via WebEx

In attendance:

1. Tracy Hudrlik (MN), Rules Committee Chair
2. Judy Miller (AR), Rules Committee Member
3. Galan Williamson (ME), Rules Committee Member
4. A. Roy Curtis (ME), Rules Committee Member
5. Caitlyn Bickford (NH), Rules Committee Member
6. Edwin Lee, Jr. (NJ), Rules Committee Member
7. Stephen Horton (ND), Rules Committee Member
8. Daryl Liedecke (TX), Rules Committee Member
9. Maureen Clifton (WY), Rules Committee Member
10. Kelly Palmateer (NY), Rules Committee Member
11. Raymundo Gallardo (UT), Rules Committee Member
12. Jacey Rader (NE), Commission Chair
13. Wendy Lautsbaugh (PA), Commissioner

National Office Staff and Legal Counsel:

14. MaryLee Underwood, Executive Director
15. Jenny Adkins, Operations and Policy Specialist
16. Emma Goode, Logistics and Administrative Specialist
17. Amanee Cabbagestalk, Training and Administrative Specialist
18. Joe Johnson, Project Manager
19. Rick Masters, Legal Counsel

Call to Order

Rules Committee Chair T. Hudrlik (MN) called the Public Hearing to order at 3:00 p.m. ET.

Discussion

- T. Hudrlik (MN) read the following statement:
The following rule amendment proposals were made available to the Commission and posted to the ICJ website on August 4, 30+ days prior to today. A public hearing notice was also published indicating the place, time, and date of today's hearing. In accordance with ICJ Rule 2-103, every public hearing shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment.
- T. Hudrlik (MN) stated the proposals scheduled for vote on Thursday, October 7, during the 2021 Annual Business Meeting General Session. The list of rules proposed for amendment and the group submitting were read as follows:

- 1-101: Absconder (Rules Committee)
 - 1-101: Court (Rules Committee)
 - NEW 1-101: Proof of Entitlement (Rules Committee)
 - 2-103: Adoption of Rules and Amendments (Rules Committee)
 - 3-101: Forms (Technology Committee)
 - 4-102: Sending and Receiving Referrals (Rules Committee)
 - 4-103: TOS Procedures for Juvenile Sex Offenders (Rules Committee)
 - 4-104: Authority to Accept/Deny Supervision (Technology Committee)
 - 5-101: Supervision/Services Requirements (Rules Committee)
 - 5-102: Absconder Under ICJ Supervision (Rules Committee)
 - 5-103: Reporting Juvenile Non-Compliance, Failed Supervision, and Retaking (Juvenile/Adult Ad Hoc Committee)
 - 5-103: Reporting Juvenile Non-Compliance, Failed Supervision, and Retaking (Racial Justice Ad Hoc Committee)
 - 7-104: Warrants (Juvenile/Adult Ad Hoc Committee)
 - 7-105: Detention and Hearing on Failure to Return (Juvenile/Adult Ad Hoc Committee)
 - 8-101: Travel Permits (Technology Committee)
- Executive Director Underwood reported that no requests to speak at the public hearing were received by the National Office. However, one comment was submitted by email.
 - Rules Committee Chair Hudrlik shared information about the comment received.
 - Raymundo Gallardo (UT) submitted a comment/suggestion to proposed Rules 4-102 and 4-103 as the amendment relates to the proposed addition of “photograph”.

A defense attorney on our council suggested adding "if available **and permissible by state law**" to the relevant paragraphs. The thought is that adding "and permissible by state law" will limit sharing a photograph only to those occasions when state law permits it.

- Rule Committee Chair Hudrlik responded that the Commission appreciates the comment from the Utah State Council. However, since the final proposals were posted on the Commission’s website on August 4th, the period for modification of the proposals has ended. In accordance with ICJ Rule 2-103, no changes are made after the final posting. The proposed amendment will be presented for a vote as written. Members should consider the input when they decided whether to vote yes, no, or abstain.
- Rules Committee Chair Hudrlik opened the floor for comments and asked that anyone wishing to speak to state their name, state, and agency or organization, as applicable. She announced that the floor would remain open for 15 minutes should anyone wish to speak.
- R. Masters, Legal Counsel, advised that technically the Compact does not require a public hearing unless ten or more people request a hearing.

However, the Interstate Commission for Juveniles has always held a public hearing regarding proposed rule changes in the interest of transparency. Historically, there have been only a few comments during the public hearings.

- There were no comments from the floor.

Adjourn

- At 3:20 p.m. EST, in the absence of objections, R. Masters, Legal Counsel, moved to close the public hearing.
- Rules Committee Chair T. Hudrlik (MN) adjourned the Public Hearing by acclamation without objection at 3:20 p.m. EST.