

# **INTERSTATE COMMISSION FOR JUVENILES**

## **Compliance Committee Meeting**



### **Minutes**

**June 18, 2019**

**11:00 a.m. ET**

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#### **Voting Members in Attendance:**

1. Jacey Rader (NE), Chair
2. Summer Foxworth (CO), Commissioner
3. Jefferson Regis (DC), Commissioner
4. Anne Connor (ID), Designee
5. Amy Welch (KY), Commissioner
6. Angela Bridgewater (LA), Commissioner
7. Traci Marchand (NC), Commissioner
8. Caitlyn Bickford (NH), Commissioner
9. Eavey-Monique James (USVI), Commissioner
10. Jedd Pelander (WA), Commissioner

#### **Members Not in Attendance:**

1. Julie Hawkins (MO), Commissioner
2. Charles Frieberg (SD), Commissioner

#### **Non-Voting Members in Attendance:**

1. Brodean Shepard (FL)
2. Anna Butler (KY)
3. Abbie Christian (NE)
4. Kelly Palmateer (NY)
5. Corrie Copeland (TN)

#### **National Office Staff in Attendance:**

1. MaryLee Underwood, Executive Director
2. Jenny Adkins, Operations and Policy Specialist
3. Emma Goode, Training and Administrative Specialist
4. Leslie Anderson, Logistics and Administrative Coordinator

#### **Call to Order**

Chair J. Rader (NE) called the meeting to order at 11:00 a.m. ET.

#### **Roll Call**

Director Underwood called the roll and quorum was established.

#### **Agenda**

**A. Connor (ID) made a motion to approve the agenda. A. Bridgewater (LA) seconded. The motion carried.**

## Minutes

**T. Marchand (NC) made a motion to approve the May 2, 2019 meeting minutes. J. Pelander (WA) seconded. A. Connor (ID) abstained. The motion carried.**

## Discussion

- Performance Measurement Assessment
  - Group 1 Corrective Action Plan (CAP) and Quarterly Progress Report (QPR) Updates
    - Chair J. Rader (NE) provided an update of the findings and responses of the first group of Performance Measurement Assessments (PMA). Three (3) states were required to submit a response or a Corrective Action Plan (CAP) to the National Office. The floor was opened to discuss each of the three (3) CAPs submitted for committee review.
    - Iowa
      - Chair J. Rader (NE) presented the CAP submitted by the state of Iowa. There were no Quarterly Progress Report (QPR) dates provided in their CAP. A QPR has been requested by September 2, 2019 for review by the committee at the September meeting.
      - **A. Connor (ID) made a motion to approve the revised Iowa CAP, pending addition of the QPR dates. T. Marchand (NC) seconded. The motion carried.**
    - New York
      - Chair J. Rader (NE) presented the CAP submitted by the state of New York that was revised to include QPR dates. The first QPR will be reviewed by the committee during their next meeting. The floor was open for committee discussion.
      - The committee discussed recommending that training be provided to field staff to address the importance of timelines regarding ICJ reports, such as home evaluations, QPRs and violation reports to ensure the responsibilities are shared evenly amongst all stakeholders.
      - **A. Connor (ID) made a motion to approve the revised New York CAP with the addition of a committee recommendation letter addressing shared responsibilities and training. E. James (VI) seconded. The motion carried.**
    - Louisiana
      - Chair J. Rader (NE) reported that the first QPR for Louisiana had been received and shows 100% compliance with the violation responses. The next QPR is due September 12, 2019. No action was needed from the committee.
  - Group 2 Responses and CAP Review
    - Chair J. Rader (NE) provided an update of the findings and responses of the second group Performance Measurement Assessments (PMA). Seven (7) states were required to submit a response or a Corrective Action Plan (CAP) to the National Office and two (2) states provided a response although it was not required. The floor was opened to discuss

each of the nine (9) responses and CAPs submitted for committee review.

▪ **Colorado**

- Chair J. Rader (NE) reported that a CAP for Colorado had been received with a start date of July 1, 2019. There were no QPR dates included with the CAP submitted.
- The committee discussed including a schedule of QPR due dates for every three (3) months that would continue until Colorado was in compliance with both standards and the CAP could be closed. The committee also suggested recommending that training be provided to field staff to address the importance of timelines regarding ICJ reports such as home evaluations, QPRs and violation reports to ensure the responsibilities are shared evenly amongst all stakeholders.
- **A. Connor (ID) made a motion to approve the Colorado CAP with the addition of the QPR dates and a committee recommendation letter addressing shared responsibilities and training. T. Marchand (NC) seconded. S. Foxworth (CO) abstained. The motion carried.**

▪ **Georgia**

- Chair J. Rader (NE) reported that Georgia made a request to have one overdue violation report record amended as the ICJ office was closed for three (3) days due to state holidays.
- The committee discussed Georgia's request and agreed to amend the report. The committee noted that even with this amendment the PMA score still falls below the acceptable compliance rate of 70% meaning a CAP would still be required.
- **A. Connor (ID) made a motion to approve Georgia's request to amend one overdue result and readjust the score to reflect the amendment still requiring the submittal of a CAP. J. Pelander (WA) seconded. The motion carried.**

▪ **Kansas**

- Chair J. Rader (NE) reported that a CAP for Kansas was received with a start date of June 1, 2019. No specific dates for QPRs were included. It was noted in the CAP that the end date of the CAP will be determined upon the achievement of two (2) consecutive quarters of 80% compliance.
- **A. Connor (ID) made a motion to approve the Kansas CAP with the committee recommendation of the addition of specific QPR dates. S. Foxworth (CO) seconded. The motion carried.**

▪ **Montana**

- Chair J. Rader (NE) reported that Montana made a request to have the initial report amended due to small sample size, organizational transition and extended medical leave in the ICJ office during the assessment period. The CAP is due August 12, 2019.
- The committee acknowledged the organizational transition and medical leave impact on the sample size, yet agreed to not amend

the report or change the sample size to sustain consistency for all states. The committee also recognized that Montana had made arrangements with the state of Idaho to assist during the time of the extended medical leave. The committee recommended that states with similar ICJ Office arrangements of one (1) staff member be encouraged to have a backup plan in place to cover emergency situations that may arise such as these within the ICJ office.

- **S. Foxworth (CO) made a motion to not amend the PMA results as requested. The committee recommended that the CAP include establishment of a back-up plan for JIDS staff coverage in emergency situations moving forward. E. James (VI) seconded. A. Connor (ID) abstained. The motion carried.**

▪ **New Mexico**

- Chair J. Rader (NE) reported that New Mexico made a request to have the initial report findings for Standard A-01 be amended due to staff being out of the office and unable to access JIDS. No CAP is required even if the initial report is amended as the compliance score remained over the required 70%. The floor was open for committee discussion.
- **S. Foxworth (CO) made a motion to not amend the PMA results as requested for Standard A-01. The committee recommended the establishment of a back-up plan for JIDS staff coverage in emergency situations moving forward. A. Connor (ID) seconded. The motion carried.**
- Chair J. Rader (NE) reported that New Mexico had also made a request to have the initial report findings for Standard A-03 be amended due to the sending states failure to close the case and route the closure appropriately. No CAP is required even if the initial report is amended as the compliance score remained over the required 70%.
- The committee agreed that, regarding the case in Standard A-03, the state of New Mexico should not be held accountable for the sending states failure to comply.
- **S. Foxworth (CO) made a motion to amend the PMA results as requested for Standard A-03. T. Marchand (NC) seconded. The motion carried.**

▪ **Oklahoma**

- Chair J. Rader (NE) reported that Oklahoma made a request to have the initial report findings amended as the overdue cases were delayed pre-disposition cases that were not eligible for travel permits for testing a residence.
- The committee noted this was a training issue, as pre-disposition cases do not require travel permits for testing a residence workflow if the juvenile is returning to their home state.
- The committee also discussed that if Oklahoma chose to submit the cases as travel permits for testing a residence, they must adhere to the timeframes in the rules.
- **A. Connor (ID) made a motion to not amend the PMA results as requested. The committee recommended that the CAP include**

**training and education of staff regarding pre-disposition cases and eligibility for travel permit testing a residence. S. Foxworth (CO) seconded. The motion carried.**

▪ **Pennsylvania**

- Chair J. Rader (NE) reported that a CAP for Pennsylvania had been received with a start date of June 10, 2019. There were no QPR dates included with the CAP submitted. It was noted in the CAP that the end date of the CAP would be determined upon the achievement of the required 70% compliance score.
- **A. Connor (ID) made a motion to approve the Pennsylvania CAP with the committee recommendation of the addition of specific QPR dates and CAP completion upon the date of meeting compliance. S. Foxworth (CO) seconded. The motion carried.**

▪ **Washington**

- Chair J. Rader (NE) reported that Washington made a request to have the initial report findings amended for Standard A-01 citing a home evaluation dispute due to a family's failure to relocate within the indicated timeframe of the workflow due date. If amended the compliance score will still fall below the required 70% and require a CAP be submitted by August 12, 2019.
- The committee agreed that until the arrival of the family into Washington, a home evaluation could not be conducted and the case should be removed from the assessment sample.
- **S. Foxworth (CO) made a motion to amend the PMA results as requested. A. Connor (ID) seconded. J. Pelander (WA) abstained. The motion carried.**
- Chair J. Rader (NE) reported that Washington made a request to have the initial report findings amended for Standard A-04 citing that the referral packet was not submitted to the receiving state and was instead placed in the transfer of supervision workflow requiring submittal of a secondary action step. The floor was open for committee discussion.
- The committee discussed that this was a training issue related to unfamiliarity with the workflow process and suggested training and education on the travel permit and testing residence workflows and workflow guides be included in the CAP.
- **A. Connor (ID) made a motion to not amend the PMA results for Standard A-04 as requested. The committee recommended that the CAP include training and education of staff regarding travel permit and testing residence workflows and guides. S. Foxworth (CO) seconded. J. Pelander (WA) abstained. The motion carried.**

▪ **West Virginia**

- Chair J. Rader (NE) reported that West Virginia provided a written response of actions taken on cases identified in their PMA results. A CAP was not required as their overall compliance met the required 70%.

- J. Adkins discussed a case in Standard A-02 where a QPR reminder was sent; however, the juvenile was detained shortly thereafter so the QPR was not required to be completed. The floor was opened for committee discussion regarding if this case should be removed from the PMA.
- The committee agreed that, even when a juvenile has been detained, QPRs should continue to be sent to keep interested parties apprised.
- **A. Connor (ID) made a motion to not amend the PMA results as requested and to submit a letter recommending the continuation of sending QPRs even after a youth has been detained to West Virginia. J. Pelander (WA) seconded. The motion carried.**
- Compliance Policy 02-2017 “Sanctioning Guidelines”
  - Chair J. Rader (NE) reported that a draft version of Compliance Policy 02-2017: Sanctioning Guidelines would be emailed to committee members for review. The committee is asked to submit comments or suggested amendments no later than July 3, 2019. The topic was tabled for further discussion at the August 8, 2019 meeting.

### **Adjourn**

**A. Connor (ID) made a motion to adjourn. E. James seconded. Chair J. Rader (NE) adjourned the meeting by acclimation at 12:14 a.m. ET.**