



INTERSTATE COMMISSION FOR JUVENILES

Compliance Committee Meeting

Minutes

December 6, 2018

2:00 p.m. ET

Voting Members in Attendance :

1. Jacey Rader (NE) Chair
2. Daniel Horacek (AZ) Designee
3. Summer Foxworth (CO) Commissioner
4. Anne Connor (ID) Designee
5. Amy Welch (KY) Commissioner
6. Julie Hawkins (MO) Commissioner
7. Traci Marchand (NC) Commissioner
8. Charles Frieberg (SD) Commissioner
9. Jedd Pelander (WA) Commissioner

Members Not in Attendance:

1. John Crabtree (AZ) Commissioner
2. Angela Bridgewater (LA) Commissioner
3. Eavey-Monique C. James (USVI) Commissioner
4. Sally Holewa Ex-officio (CSCA)

Non-Voting Members in Attendance :

1. Ellen Hackenmueller (AK)
2. Jefferson Regis (DC)
3. Caitlyn Bickford (NH)
4. Kelly Palmateer (NY)
5. Corrie Copeland (TN)

Guests in Attendance:

1. Anna Butler (KY)
2. Felicia Dauway (SC)

National Office Staff in Attendance :

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

Call to Order

Chair Rader called the meeting to order at 2:01 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

A. Connor (ID) made a motion to approve the agenda. A. Welch (KY) seconded. The motion carried.

Minutes

A. Connor (ID) made a motion to approve the November 1, 2018 meeting minutes. T Marchand (NC) seconded. The motion carried.

Discussion

South Carolina CAP Review:

- Chair Rader (NE) reported that South Carolina had completed the Corrective Action Plan (CAP) and opened the floor for discussion on the committee's recommendation to the Executive Committee for final approval of the CAP.
- **C. Frieberg made a motion to accept the finalized CAP and recommend it to the Executive Committee for further action. A. Connor (ID) seconded. T. Marchand (NC) abstained. The motion carried.**
- Chair Rader (NE) discussed Rule 9-103 (3) regarding the fine imposed on South Carolina to ensure the default was cured. There is a possibility that the Executive Committee may abate the imposed fine, this rule allows for the enforcement of that decision.
- A. Connor (ID) inquired if the total cost for the Training and Technical Assistance (TTA) had been calculated at this time. Part of the CAP with South Carolina included an agreement for the state to reimburse the commission for the TTA provided in addition to the fine imposed. She suggested that reimbursement of expenses should be considered a separate issue from whether the fine should be abated.
- Executive Director Underwood provided the total TTA on site cost was \$3,188.49, including the stipend paid to A. Christian of (NE) who provided the TTA. This total does not include hours worked off site, legal hours, additional committee meetings and other administrative costs regarding the creation of training curriculum.
- J. Hawkins (MO) suggested the total fine and TTA costs both be abated due to South Carolina's timely addressment of the issues.
- J. Pelander (WA) suggested that a set of guidelines be created that outline what the determining factors are in deciding the factors that would result in the reimbursement or the abatement of the fine to be documented for any future occurrences.
- Chair Raider (NE) referred to Rule 9-103 (3) which addresses additional actions that can be taken if the default is not cured. It does not clarify what steps are taken if the default is cured.
- T. Marchand (MO) noted that SC was only fined for one of two complaints filed against them, and not both. She cited the language in Rule 9-103 (6) and suggested the TTA cost not be part of the abatement as outlined in this rule. She suggested that an itemized list of expenses be considered to include the cost of committee meetings, emergency calls, TTA (both on and off site) and total hours utilized to cure this default be submitted to the Executive Committee for consideration.
- **S. Foxworth (CO) made a motion to bill or invoice South Carolina for the on-sight only training and technical support that was provided, abate the rest of the \$75,000.00 fine**

and to make that recommendation to the Executive Committee. J. Hawkins (MO) seconded. The motion carried. A. Connor (ID) and T. Marchand (NC) abstained.

Compliance Rules Review:

- Chair Rader (NE) presented the suggested amendments to the ICJ Section 900 Rules. She reported that changes are intended to clarify and make sections more concise, as well as the remove language quoted from the compact.
- **C. Frieberg (SD) made a motion to move the amendments of the ICJ 900 Rules to the Rules Committee. S. Foxworth (CO) seconded. The motion carried.**

Corrective Action Plan Template Review:

- Chair Rader (NE) presented the draft Corrective Action Plan (CAP) Template to the committee. The template outlines what should be included in a CAP and defines the guidelines.
- **A. Connor (ID) made a motion to adopt the Corrective Action Plan Template. J. Pelander (WA) seconded. The motion carried.**

2019 Performance Measurement Assessment (PMA):

- Chair Rader (NE) requested J. Adkins discuss the 2019 PMA schedule, timeline and upcoming WebEx training sessions.
- J. Adkins advised that the letters for Group 1 were mailed out this week announcing the assessment will take place in January. A WebEx training session will be held December 19, 2018 at 2 pm ET. This session will cover a brief history of the Performance Measurement Assessment, the policies, schedules and timelines, what standards are going to be assessed and ways for states to prepare in advance. The power point presentation that will be utilized in the training session will be made available to the committee for review in advance. This session will be recorded and available to view at a later date for those unable to participate in the December 19th session.
- Chair Rader (NE) reported that the June meeting has been rescheduled to June 19, 2019 to allow for the review of the second quarter PMA results.

Old Business

- Dues
 - Executive Director Underwood reported that there are currently three (3) states that are overdue. They are not due for referral to the Compliance Committee until January.
- Commissioner Updates
 - Executive Director Underwood reported that there are currently two states that have Commissioners listed who are no longer involved with ICJ. Letters have been sent to the appropriate appointing authority in those states requesting new appointments be made.
 - In one state, the Commissioner has retired and the appointed Acting Deputy Compact Administrator had to take an unexpected leave of absence. This required another staff member to be appointed as the instate contact. That staff member

reported to A. Connor (ID) that tomorrow will be her last day. Another staff member has been appointed but is unfamiliar with the compact and how it operates. The National Office is currently working with that staff member to explain the compact operating procedures. A second letter will be sent to the Governor requesting an appointment be made as soon as possible.

- Another state has a Commissioner resigning prior to the inauguration of a new Governor who will be making an appointment of a new Commissioner. A letter will be sent to the state's transition team explaining the importance of a timely appointment of the new Commissioner.

New Business

- Chair Rader (NE) updated the committee on several priorities that the Executive Committee had asked to be addressed. Those priorities included the South Carolina matter, the development of a sample Corrective Action Plan, development of methods for informing the commission about the upcoming Performance Measurement Assessment and a review of the compliance policies. She reported that the committee had made great progress on these priorities and would address the review of compliance policies in January.

Adjourn

- **A. Connor (ID) made a motion to adjourn. J. Pelander (WA) seconded. Chair Rader adjourned the meeting by acclamation at 2:01 p.m. ET.**