

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes

February 24, 2022

12:00 p.m. ET

Via Zoom



Committee Members in Attendance:

1. Tasha Hunt (CT), Chair
2. Nina Belli (OR), Vice Chair
3. Sherry Jones (MD), Treasurer
4. Jacey Rader (NE), Immediate Past Chair and Compliance Committee Chair
5. Corrie Copeland (TN), Finance Committee Chair
6. Stephen Horton (NC), Rules Committee Chair
7. Kellianne Torres (IA), Information Technology Committee Chair
8. Nate Lawson (OH), Training Committee Chair
9. Chuck Frieberg (SD), Midwest Region Representative
10. Daryl Liedeker (TX), South Region Representative
11. Michael Farmer (CA), West Region Representative

Committee Members Not in Attendance:

1. Becki Moore (MA), East Region Representative
2. Nataki Brown (SC), Victims Representative

Guests in Attendance:

1. Michael Jacobson, SEARCH

National Office Staff and Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Jenny Adkins, Operations and Policy Specialist
4. Joe Johnson, Systems Project Manager
5. Amanee Cabbagestalk, Training and Administrative Specialist
6. Rick Masters, Legal Counsel

Call to Order

Chair Hunt (CT) called the meeting to order at 12:02 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

N. Belli (OR) motioned to approve the agenda. N. Lawson (OH) seconded. The motion passed.

Minutes

S. Horton (NC) made a motion to approve the minutes from the January 27, 2022 meeting as presented. N. Lawson (OH) seconded. The motion passed.

Commission Chair Report *by Tasha Hunt (CT)*

- Chair Hunt (CT) updated on the preparation for the ICJ Executive Committee Extended Spring Meeting. The meeting will be conducted virtually over 3 days: March 22, 23, and 24. She provided an overview of the agenda for the three days beginning at noon Eastern Time each day:
 - Day 1 (March 22) – Regular Executive Committee monthly meeting.
 - Day 2 (March 23) – Implementation Science Training (led by Jacey Rader (NE))
 - Day 3 (March 24) – Strategic Plan Updates
- Chair Hunt (CT) provided an overview of the four primary priorities and initiatives originally developed three years ago. Each year the Executive Committee has reviewed the plan and adjusted the initiatives and action steps to include unexpected developments, such as the onset of the global pandemic and the increased focus on racial equity. Learning about implementation science on Day 2 will assist in the strategic plan discussion on Day 3 to develop strategies for the future and complete current action items.
- In preparation for the meeting, Chair Hunt requested that members:
 1. Review the current strategic plan. The National Office will forward the long version of the strategic plan.
 2. Check your mailing address on the Commission's website and notify Emma Goode at Egoode@juvenilecompact.org if you wish to have your meeting package mailed to another address.

National Office Report *by MaryLee Underwood, Executive Director*

State Updates

- Director Underwood updated on the recent ICJ Commissioner changes:
 - ARIZONA – Howard Wykes has been appointed Arizona's full-time Designee.
 - MASSACHUSETTS – Becki Moore has been appointed Massachusetts' Commissioner.
- Additional state updates:
 - PENNSYLVANIA – The Pennsylvania legislature expanded the state law DNA collection requirement, which includes a provision regarding acceptance of cases. The National Office staff worked with Pennsylvania about how this must be implemented as a condition of supervision, rather than acceptance. Information is available on the Commission's website: <https://www.juvenilecompact.org/east/pennsylvania> (See the "Documents" tab).
 - VERMONT and PENNSYLVANIA reached out to the National Office regarding whether the ICJ applies to "youthful offenders." Because youthful offender laws vary from state to state, the National Office directed them to seek advice from legal advisors to their state agencies.
 - D. Liedecke (TX) asked about the definition of "youthful offenders." Director Underwood responded the term is used in relation to transitioning youth from juvenile to adult jurisdictions and vice versa. However, it is used differently in different states.

National Office Updates

- Director Underwood announced that the amended ICJ Rules will roll out Wednesday, March 1, 2022. National Office staff members have reviewed all published resources to assess the impact of the new rule amendments. To date, 26 resources have been amended or archived. The “ICJ Updates” monthly e-newsletter will include a list of these updated resources. The ICJ Bench Book and PMA Standards continue to be under review and will be updated soon.
- Applicable On Demand trainings have been updated and all the ICJ core courses have been updated and refreshed by Training and Administrative Specialist, Amanee Cabbagestalk. The ICJ core courses are the original On Demand courses updated with the new rules year after year as applicable.
- A new course is now available on the ICJ TalentLMS regarding the rule-making procedures. This is the same course presented to the ICJ Rules Committee.

Justice System Partnership for Racial Equity

- Director Underwood provided an update on the work of the Justice System Partnership for Racial Equity (which was one of the three prongs in the ICJ Racial Equity Plan). She presented a draft letter to President Biden from the Justice System Partnership for Racial Equity offering to partner with the administration to advance racial equity. The draft letter was prepared by the fifteen (15) affiliate organizations comprising the partnership.
- The Executive Committee reviewed and expressed no concerns.

National Office Administration

- Director Underwood updated that the ICJ National Office will finalize the move to the new office space on Wednesday, March 2, 2022. The transition to Zoom for phones and virtual meetings has been completed.
- Chairs are encouraged to verbally share information typed into the “chat box” during meetings. The information is not being captured in the recording and not all members watch the chats during the meetings.

UNITY Update

- Director Underwood provided an update on UNITY administration:
 - Promoting Data Culture & Analysis Skills
 - The National Office is working to promote data culture and analysis skills. At the last UNITY workshop, Joe Johnson provided training on how to export data from Tableau into an Excel spreadsheet to sort and format in a preferred order for review.
 - A new article on the ICJ Help Center has been added, as suggested by a commissioner. She acknowledged the numerous members for their many contributions, as the National Office looks for additional opportunities to support this area.
 - Developing a Timeline for UNITY Releases
 - The National Office is working with the Technology Committee Chair and Work Team Leaders to develop a timeline for releases of UNITY amendments, reports, and enhancement updates.
 - Policy Updates Needed

- During the process of the first round of changes to UNITY, it has become apparent that changes to UNITY are more complex and costly than the previous system. Therefore, the Commission's Information Systems Modifications Policy and Forms Responsibility Policy will be updated to ensure all proper checks and balances are in place.

Compliance Committee Report by Jacey Rader (NE)

- Chair J. Rader (NE) reported the Compliance Committee conducted an extended meeting on February 10, 2022, to continue their review of the Performance Measurement Assessment (PMA) priority standards. Implementation science and the importance of readiness were also discussed.
- She presented the following PMA standards recommendations from the Compliance Committee. Note, text presented in red font and underlined is proposed for addition.
 - **A-03** Sending States shall respond to a report of violation, to include action to be taken by the sending state and the date the action will occur, no later than 10 business days following receipt. Rule 5-103(2)
 - N. Belli (OR) asked if it would be an appropriate response to state 'the Court will sign off in a couple weeks.' J. Rader (NE) affirmed it to be an appropriate response.
 - **N. Belli (OR) made a motion to approve the revision to PMA Standard A-03 as presented. K. Torres (IA) seconded. The motion passed.**
 - **B-04 When a juvenile is not residing with a legal guardian and that person requests the juvenile be removed from his/her home, the sending state shall secure alternative living arrangements within five (5) business days or the juvenile shall be returned. Rule 5-103(4)(b)**
 - **S. Horton (NC) made a motion to approve the new PMA Standard B-04 as presented. N. Lawson (OH) seconded. The motion passed.**
 - **C-01** Each ICJ Office shall develop policies/procedures on how to handle ICJ matters within their State. **Rule 4-102(1)**
 - **C-02** Each ICJ Office shall have policies/procedures in place involving the return of juveniles that will ensure the safety of the public and juveniles. **Rule 6-102(9)**
 - At the last meeting, there was discussion of removing these standards because there is not a way to measure significantly. Since no Executive Committee members opposed removal, the Compliance Committee recommended removal of these standards
 - **S. Jones (MD) made a motion to remove the Performance Measurement Assessment (PMA) Standards: C-01, C-02 as recommended. M. Farmer (CA) seconded. The motion passed.**
- Compliance Chair Rader reported that the Compliance Committee is beginning to discuss other areas the Commission may wish to assess that require a more qualitative review in order to address current issues and trends.
- The next monthly meeting is March 10.

Information Technology Committee Report *by Kellianne Torres (IA)*

- Information Technology Committee Chair K. Torres (IA) reported the Information Technology Committee met February 8, 2022. The members continued their round robin discussion regarding proactive monitoring of data.
- The UNITY Data Visualization Subcommittee is meeting every two weeks. They are reviewing released reports and working on the next group of reports for development, which will include reports related to returns.
- The UNITY Enhancements Subcommittee forwarded the first round of enhancement recommendations to Optimum Technology. The vendor responded with questions, which the subcommittee will be discussing at the next meeting. As a result of the detailed analysis required, the enhancements will take more time.
- Chair Torres will be working with both subcommittees on a timeline to release UNITY updates and information. The Form II timeline for rollout has been established as presented below:
 - 3/10 30-day comment review period ends
 - 3/15 email notice to states
 - *** Chair Torres will produce an introduction video
 - 4/19 email the introduction video to states
 - 4/20 effective date and training at the monthly UNITY Workshop
- The next committee meeting is March 8, 2022.

Training, Education and Public Relations Committee Report *by Daryl Liedecke (TX)*

- Training Committee Vice Chair Liedecke (TX) reported the Training Committee met February 3, 2022. He chaired the meeting due to N. Lawson's absence in February.
- The Transportation Identification Form Training presenters have met. The live training will be conducted March 25A recording of the training will be made available on the ICJ TalentLMS platform.
- The 2022 Annual Business Meeting (ABM) training topics, mode, and costs were discussed. The discussions will continue as the planning for the 2022 ABM continues to determine the best training topics and content for 2022.
- The current Training & Technical Assistance (TTA) Policy #07-2009 was reviewed with proposed modifications. The committee is discussing the best ways to structure the policy that meet the operations and needs of the Commission.
- The ICJ in Action Work Teams are meeting with Amanee Cabbagestalk to develop the new series of ICJ courses. The goal is to complete ten courses by the first of October.
- The Training Committee will meet again March 3, 2022.

Rules Committee Report *by Stephen Horton (NC)*

- Rules Committee Chair S. Horton (NC) reported the Rules Committee met February 2, 2022.
- The "Rule Proposals Guide" was discussed for modifications for a clearer understanding of the rule amendment process. A more in-depth discussion is slated for the April meeting.

- A subcommittee presented their recommendations regarding the definition of “relocate” and impact to multiple rules. The Rules Committee agreed to table the issue until the next meeting for a further discussion regarding impact to travel permits for juvenile sex offenders (JSO).
- The two live rule amendments trainings have been completed and a recording will be available on the ICJ TalentLMS.
- The next Rules Committee meeting is April 6, 2022.

Ad Hoc Committee for Racial Justice Report *by Sherry Jones (MD)*

- Ad Hoc Committee for Racial Justice Co-Chair S. Jones (MD) reported the Ad Hoc Committee met February 15, 2022.
- The ad hoc committee reviewed a timeline chart to visualize progression towards achieving their goals and accomplishing relative tasks prior to the 2022 Annual Business Meeting (ABM).
- Data was identified for inclusion in the data walk on March 29, which will be held in conjunction with the Leadership Exchange Series.
- The Nominations & Election Process document was discussed. The Ad Hoc Committee agreed to complete their review and discussion of the document at the next meeting.
- The next meeting is March 15.

West Region Report *by Michael Farmer (CA)*

- West Region Representative M. Farmer (CA) reported the West Region met February 16, 2022.
- Members from each ICJ Committee provided updates on the work of their committees.
- Data was requested from West Region regarding detention of non-delinquent runaways. Due to the small number of submissions, the data collection process will continue and the topic will remain on the agenda for the next meeting.
- M. Farmer (CA) updated that California has approved the transition of the ICJ (currently housed under the Division of Juvenile Justice) to the Division of Adult Parole Operations (which houses the Adult Compact). The transition will begin July 1, 2022. He hopes to remain the California ICJ Designee through October 2022.

Legal Counsel Report *by Legal Counsel Rick Masters*

- R. Masters, Legal Counsel, commented about the issue mentioned earlier regarding DNA. The collection of DNA as a special condition is permitted to be imposed at the time of acceptance or subsequently during the supervision. It is important to emphasize that it must be a special condition of supervision and not additional criteria for acceptance.
- R. Masters, Legal Counsel, presented an amendment to his Legal Advisory Opinion #03-2021 approved August 19, 2021. Page 3 under Analysis and Conclusions, paragraph 3. The sentence below was stricken to avoid any confusion that it is in conflict with Rule 2-104(2):

Once supervision has been transferred, while agreed upon communications concerning the juvenile are not forbidden

communications with the family member by sending state officials are generally not warranted.

- S. Horton (NC) updated that a South Region Work Group is developing a document regarding communication between local authorities and juveniles/families. If approved, the new resource will provide guidelines for ICJ offices to share with their state locals.
- **D. Liedecke (TX) made a motion to approve the publication of the revised ICJ Legal Advisory Opinion #03-2021 as presented. C. Frieberg (SD) seconded. The motion passed.**

Victims Representative *by Nataki Brown*

- In the absence of Ex Officio Victims Representative Brown, Chair Hunt shared her term of the month from the National Institute of Justice (NIJ).
 - Life Course Theory = The theory that childhood antisocial behavior, adolescent delinquency, and early adult criminal activity are more likely when a person's bond to society is weak. It focuses on changes in criminal behavior over an individual's lifetime, noting turning points that affect their likelihood of engaging in criminal behavior.
 - An example could be that the likelihood of victimization is sometimes increased due to lifestyle choices. For example, someone with a gambling or substance addiction could be seen as an "easy victim" by a con artist.

Old Business

Warrant Notification Project

- Chair Hunt (CT) introduced Michael Jacobson, Information Sharing Specialist for SEARCH and Project Manager for the Warrant Notification Project. He was one of the consultants who worked with ICJ on the Request for Proposal (RFP) process that led to the development of UNITY. Mr. Jacobson and his team at SEARCH led the RFP Team through scoring the proposals and interviewing potential vendors.
- Mr. Jacobson provided an update on the 2018 BJA Justice Reinvestment Grant awarded to SEARCH. The grant was approved based on a proof of concept to notify sending and receiving states regarding issuance of a warrant or some type of activity with law enforcement when a person is being supervised in another state through ICJ or ICAOS. The major goals of the Warrant Notification Project include:
 - Monitor state-issued arrest warrants hosted by the FBI NCIC.
 - Monitor state-issued arrest warrants not hosted by the FBI by utilizing Nlets State Warrant Query/Response (SWQ) service.
 - Enter and maintain records of offenders in the FBI's Supervised Release File.
- The original concept was to work with the FBI to obtain Originating Agency Identifiers (ORIs) for ICAOS and ICJ to allow for interactions with the CJIS network. However, the FBI denied the ORI to ICAOS; therefore, a state-by-state model has been developed. This resulted in a significant delay in the project. Currently, SEARCH is working with four state ICAOS offices (Arizona, Kansas, Minnesota, and Ohio). A control agreement is in place between ICAOS and ICJ.

He shared a flow chart diagram of the Interstate Compact Transfer (ICT) Design and subscription/notification service. The work with the four states continues while SEARCH continues to meet with other states to bring them on board. Mr. Jacobson anticipates a one-year extension of the three-year grant. The project was launched at the same time as ICJ was developing UNITY; therefore, it has been understood that ICJ's involvement would be limited, especially at first.

2022 Annual Business Meeting (ABM) Recommendations Feedback *by Nina Belli (OR)*

- A “COVID-Related Guidelines during the 2022 Annual Business Meeting (ABM)” detailed information sheet was shared prior to the meeting which included three possible scenarios. Vice Chair N. Belli (OR) spoke to the importance of meeting in person and doing so safely; therefore, three options were presented for consideration.
 - Scenario 1: In Person ABM
 - N. Belli (OR) provided an overview for an in-person ABM. COVID precautions would be in place, which at this time would include COVID self-tests daily; following CDC and local requirements; social distancing; masks; a modified 2-day agenda; and reduction of attendees to one person to represent each member state and ex officio organization. A basic live stream option could be included, which would allow others to view content, but not vote.
 - J. Rader (NE) shared a concern of the financial liability to states should their representative test positive during the event and require quarantine. Costs could include additional hotel nights, travel, and food before returning home. N. Belli (OR) noted that the hotel will honor the government per diem for additional room nights and states are encouraged to purchase tickets with travel insurance for a full reimbursement.
 - S. Horton (NC) asked the total estimated cost for Scenario 1 with the live stream, reduction in attendees, and 2-day agenda. N. Belli (OR) shared the estimate included in the document of \$145,000, which is within the current budget.
 - R. Masters commented that he has attended several in-person meetings recently without incident. The attendees were generally in good health and similar COVID-19 guidelines were observed. Vaccination has been required at several events.
 - Scenario 2: Hybrid ABM
 - N. Belli (OR) provided an overview for a hybrid ABM. For those onsite, the guidelines in scenario 1 would apply plus there would be a hybrid meeting option for those offsite.
 - All voting would be done on the same virtual platform via the computer whether onsite or offsite. The additional cost for a hybrid meeting would be \$40,000 for a total of \$185,000.
 - Scenario 3: Virtual

- N. Belli (OR) provided an overview for a virtual ABM. The format would be similar to the last two years with a 3-day agenda; electronic distribution of meeting materials; voting and unlimited non-voting participants and guests could attend; and the virtual welcome reception would return. Cost for a virtual meeting would be around \$56,000.
- C. Frieberg (SD) asked when a final decision would need to be made noting that mask mandates are currently changing and he supported waiting. N. Belli (OR) commented that a decision should be reached no later than April.
- M. Farmer (CA) asked about the survey results. Director Underwood updated that in the November 2021 survey, 80 percent stated they were not aware of any restrictions that would prevent them from attending an in-person ABM. S. Jones (MD) suggested another survey be conducted. S. Horton (NC) asked whether national COVID numbers have been considered. N. Belli (OR) affirmed and updated that Vermont has provided a link of their COVID numbers county by county. N. Lawson (OH) recommended that the scenarios information regarding cost and responsibility in the case of an illness be provided with the survey, if one is administered.
- D. Liedecke (TX) asked if the \$550 travel is flexible, as it appears with trip insurance many flights would exceed that limit. Currently, the reimbursement policy states \$550. N. Belli responded that higher priced tickets can be fully reimbursed with prior authorization.
- M. Farmer (CA) asked for the cost difference of the current budget over when originally contracted for Vermont. Director Underwood replied it is hard to predict flights and food costs at this time, but the recalculated budget is around \$20,000 higher than originally anticipated three years ago when contracted.

New Business

“See Scan” entries in UNITY

- Chair Hunt (CT) advised that a concern had been raised by a member regarding whether it is permissible to enter “see scan” in UNITY. She opened the floor for ideas on how to address the issue, and suggested that perhaps the issue should be referred to a committee.
- J. Rader (NE) commented that concerns regarding entry of “see scan” (rather than relevant data) was discussed many times during the development of UNITY. The Business Analysis Team (which worked closely with the developers to design the system universally) agreed it is very important for relevant data to be entered (rather than “see scan”) in order for the system to work as intended. If appropriate data is not entered, other users cannot easily locate information. Also, the effectiveness of reports is limited and compliance efforts are hampered. Also, users often find it difficult to read all or part of scanned attachments. Nonetheless, no mechanism was built-in the system to prevent the entry of “see scan.”
- N. Belli (OR) stated that use of “see scan” is sometime preferred to ensure that the report is entered exactly as submitted by the local officer. She also expressed concerns about liability.

- N. Belli (OR) suggested bringing up the topic in region meetings and noted the comparison of “see scan” in summary boxes versus fields that require more details. While it is important to obtain needed data, some states with small staffs lack the time to type local reports into UNITY, especially if local users do not have access to UNITY (Model 3 states). C. Copeland (TN) agreed, noting her state has rural counties that are not equipped with computers to send. These counties continue to fax information.
- S. Horton (NC) shared that the North Carolina ICJ Office serves as the gatekeeper, and ensures their data is correct and clean before sending out. They sometimes return reports to local authorities and explain how the work is being duplicated when they do not enter the information correctly. S. Jones (MD) shared that the MD ICJ Office also trains their state employees about how entering the information in the appropriate boxes avoids duplication of work.
- **J. Rader (NE) made a motion to refer the “see scan” issue as a joint endeavor with both the Compliance and the Technology Committees to make recommendation to the Executive Committee by June 1, 2022. N. Lawson (OH) seconded. The motion passed.**

Michigan Update

- Chair Hunt updated that Roy Yapple (MI) plans to retire mid-April. He is working within his state for a new Commissioner appointment. He hopes the appointment is made prior to his departure for a smoother transition.

Adjourn

Chair Hunt adjourned by meeting by unanimous consent without objection at 1:43 p.m. ET.