

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes

October 4, 2022 – ICJ 2022 Annual Business Meeting

8:30 a.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. Corrie Copeland (TN), Finance Committee Chair
5. Kellianne Torres (IA), Information Technology Committee Chair
6. Nate Lawson (OH), Training Committee Chair
7. Stephen Horton (NC), Rules Committee Chair
8. Chuck Frieberg (SD), Midwest Region Representative
9. Daryl Liedeker (TX), South Region Representative
10. Michael Farmer (CA), West Region Representative

Committee Members Not in Attendance:

1. Becki Moore (MA) East Region Representative
2. Jacey Rader (NE), Immediate Past Chair and Compliance Committee Chair
3. Nataki Brown (SC), Victims Representative

Guest in Attendance:

1. Trissie Casanova (VT) East Region Alternate Representative

National Office Staff and Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Jenny Adkins, Operations and Policy Specialist
3. Emma Goode, Logistics and Administrative Specialist
4. Rick Masters, Legal Counsel

Call to Order

Commission Chair T. Hunt (CT) called the meeting to order at 8:30 a.m. ET and welcomed everyone to the on-site Executive Committee meeting in Burlington, Vermont.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

Chair Hunt presented the agenda for approval by unanimous consent. No objection was made.

Legal Counsel Report *by Rick Masters*

- R. Masters, Legal Counsel, provided an overview of his legal memo dated September 29, 2022. The East Region initially requested an IC Legal

Advisory Opinion and were advised the question would be addressed in a legal memorandum. The question was regarding: *What triggers the start of "detainment" regarding the release of non- delinquent runaways under ICJ Rule 6-101 an opinion concerning what "triggers" the start of the "detainment" pursuant to ICJ Rule 6-101.*

- R. Masters commented that it was difficult to find relative cases as states have their own standard variations of 24 hours which may be a day or expanded into 3 days over a weekend. Additionally, the term "detainment" is defined differently and not a common definition. The term "detainment" as used in ICJ Rule 6-101 is a synonym for "detention." According to Black's Law, Detainment is "the act of detaining." The OJJDP glossary the term "detention" usually refers to the placement of a youth in a secure facility under court authority.
- In summary, there are also differences among states as to due process concerns which apply to detention of runaways as well as other juveniles subject to the ICJ. Given the variety of definitions of detainment or detention, as well as policies among the states concerning the detainment of runaways and other juveniles as well as differences in due process guarantees, there does not appear to be a single standard as to when the twenty-four (24) hour period of detention begins for purposes of the application of ICJ Rule 6-101 to the release of runaways. Accordingly, it seems more reasonable to treat the decision as to the commencement of this period as a discretionary decision of the member states.
- The legal memorandum will be presented to the ICJ East Region in their meeting later on October 4, 2022.

Review and Meeting Agendas and Process

- Chair Hunt provided an update on a few changes and updates during the 2022 Annual Business Meeting onsite in Burlington, Vermont.
- Nataki Brown, Victims Representative, had to cancel and Director Underwood will substitute as the facilitator for Human Trafficking Panel session.
- Kentucky Commissioner Amy Welch had to cancel.
- The largest discussion item for the 2022 General Session will be the dues and budget adjustments. The Finance Committee will present the recommended option for a 35 percent ICJ Dues increase in FY24. Additionally, the Commission will be made aware of the second option a progressive increase which was considered. Should neither of the options pass, the FY 24 Budget cannot be adopted and will go back to committee. Talking points were prepared and will be shared by the Finance Committee leaders simultaneously during each of the four region meetings on October 4, 2022.
- M. Farmer (CA) commented that he agreed a dues increase was imminent; however, was shocked at the high percentage rate. He suggested that in the future ICJ committees take a closer look at costs and their impact to the budget prior to presenting and approving items.
- S. Horton (NC) commented that as a state getting hit by the dues increase at the same time moving up a tier, he has had to explain in his state the services being funded. He agrees funding is necessary and an increase overdue and

commented that the budget funding should focus on the Commission's purpose, rules, by-laws, and articles.

- N. Lawson (OH) commented that the dues recalculation was to occur during the first year of the pandemic and was deferred due to the pandemic. The budget impact was lessened as face-to-face meetings were cancelled for two years providing operational funds to cover the cost the UNITY development without withdrawal from the long-term investment account. He added that the dues discussion has sparked a lot of interest on where the money is going. While all the initiatives are arguably valuable, there probably will be a closer look at all budget items.
- T. Casanova (VT) agreed an increase is never easy. As a representative of another Compact that is severely underfunded with a national office staff of one person, she can attest to the value of a properly funded Commission and fully functioning national office staff.
- Director Underwood added that coming out of the pandemic during this high inflationary period feels like a double hit. She noted that in 2019 we used all the operational budget to operate before the addition of UNITY, the Leadership Series, and the Ad Hoc Racial Justice Committee.
- Chair Hunt provided an update on the upcoming sessions, rooms, new Commissioner Luncheon, voting, and recordings. Printed copies of the region agendas and minutes will be provided in each due to the lack of power outlets to run electronic devices.

Old Business

There was no old business.

New Business

- Director Underwood updated that Amy Welch of Kentucky had to cancel due to COVID related illness. Her flight was one purchased direct by ICJ via the Altour travel agency upon approval of her request to purchase due to financial hardship. She has requested an exception of the reimbursement policy which states ICJ will purchase due to financial hardship, yet requests reimbursement if cancelled.
- Vice Chair Belli noted the ICJ Travel Reimbursement Policy states: "Any cancelled prepaid flight arrangements are subject to reimbursement to ICJ."
- The Executive Committee discussed the possible options and agreed that first, there should be an attempt to acquire a refund from the airlines before taking any additional action. Rick indicated that he has successfully made such requests before and would be amenable to complete provide his assistance pro bono.
- **N. Lawson (OH) made a motion to authorize Legal Counsel, Rick Masters, to work pro bono with Commissioner Welch and the pertinent airlines regarding reimbursement options for the cancelled 2022 Annual Business Meeting (ABM) airline tickets. C. Copeland (TN) seconded the motion. The motion passed.**

Adjourn

Chair Hunt adjourned the meeting by unanimous consent without objection at 9:15 a.m. ET.