

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes

November 17, 2022

12:00 p.m. ET

Via Zoom**



Committee Members in Attendance:

1. Nina Belli (OR), Chair
2. Julie Hawkins (MO), Vice Chair
3. Sherry Jones (MD), Treasurer and Racial DEI Committee Chair
4. Tasha Hunt (CT), Past Chair
5. Jacey Rader (NE), Compliance Committee Chair
6. Dale Dodd (NM), Finance Committee Chair
7. Kellianne Torres (IA), Information Technology Committee Chair
8. Stephen Horton (NC), Rules Committee Chair
9. Corrie Copeland (TN), Training Committee Chair
10. Caitlyn Bickford (NH), East Region Representative
11. Felicia Dauway (SC), South Region Representative
12. Howard Wykes (AZ), West Region Representative

Committee Members Not in Attendance:

1. Chuck Frieberg (SD), Midwest Region Representative

Guests in Attendance:

1. None

National Office Staff and Legal Counsel in Attendance:

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

Call to Order

Commission Chair N. Belli (OR) called the meeting to order at 12:00 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

J. Rader (NE) made a motion to approve the agenda. S. Jones (MD) seconded. Chair Belli presented the agenda for approval by unanimous consent. No objection was made.

Minutes

- **S. Jones (MD) made a motion to approve the September 22, 2022 minutes as presented. S. Horton (NC) seconded. Chair Belli approved by unanimous consent without objection.**
- **S. Jones (MD) made a motion to approve the October 4, 2022 minutes as presented. F. Dauway (SC) seconded. Chair Belli approved by unanimous consent without objection.**

Commission Chair Report *by Nina Belli (OR)*

Welcome, Introductions, the Year Ahead

- Chair Belli expressed her sincere appreciation and welcomed the 2023 Executive Committee members. She reported that all ICJ Committees have been established with a chair and vice chair, and meetings have been scheduled.

National Office Report *by MaryLee Underwood, Executive Director*

State Updates

- Director Underwood updated on the following Commissioner and Staffing changes:
 - In Colorado, Brooke Montelongo has been named to replace Summer Foxworth. November 17, 2022 is Summer's last day.
 - In Kansas, Hope Cooper is no longer with the agency and Matt Billinger has taken a new position. Effective November 7, Fareeda Washington is the new Kansas Deputy Compact Administrator (DCA).
 - In Ohio, Sasaun Lane was appointed Commissioner replacing Nate Lawson. Nate will serve as a resource and emergency ICJ back up.
 - In Wisconsin, Joy Swantz has left the Compact office. Commissioner Casey Gerber is the main contact until a replacement is made.

National Office Updates

- Director Underwood updated on the consultations, projects, and administration.
 - Currently two states are over 120 days past due on their FY 2023 dues and will be referred to Compliance.
 - Alaska Commissioner Heide requested more information about the Commission's strategic planning. He is involved in the Alaska strategic planning and he was impressed with the presentation of the ICJ Strategic Plan during the Annual Business Meeting.
 - Michigan Commissioner Tymkew requested guidance on the return of a juvenile with an infant child following a recent case he incurred with Nevada. Director Underwood plans to discuss liability issues with Legal Counsel. Vice Chair Hawkins and Treasurer Jones requested to be a part of future discussions on the topic and Chair Belli agreed.
 - Five (5) new ICJ in Action courses are now available via ICJ.TalentLMS. The new ICJ in Action series provide a practical approach to learning by demonstrating the relationship between the ICJ Rules, practical usage, and UNITY entries.

- The UNITY National Data Assessment has been completed. The Compliance Committee will review the results. They will be looking for trends and areas of improvements and recommendations.
- The UNITY support case backlog is clear. The vendor (Optimum Technology) has begun the process of developing the UNITY enhancements approved earlier this year.
- Staff is building the infrastructure for “UNITY Spotlight” newsletter to be released soon. The recently approved budget increase allowed for an upgrade to the MailChimp subscription, which will allow for distribution of user-specific information to UNITY users.
- Director Underwood, Chair Belli, and Vice Chair Hawkins presented a webinar for Council of Juvenile Justice Administrators (CJJA) on November 7. The webinar was attended by 70 participants. Alabama Commissioner Stephen LaFreniere, who represented CJJA as an ex officio member at the 2022 ABM, also participated in the presentation.
- The amicus brief prepared by Rick Masters and other attorneys has been completed and submitted to the US Supreme Court regarding a pending case, New York vs. New Jersey, in which compact-related matters are being adjudicated. The Executive Committee approved his participation on behalf of the Commission earlier this year. An amicus brief is a “friend of the court” brief used to submit a legal argument related to a case in which one is not a party, but could be impacted by the decision.

National Office Administration

- Director Underwood provided an update about administrative functions at the National Office since the Annual Business Meeting.
 - The employee benefits vendor contracts have been renewed with a minimal cost increase in health insurance (1.7%). The open enrollment process has been completed by staff.
 - All agency insurance policies have been modified to reflect staff working remotely. The Directors and Officers, Worker’s Compensation, and General Liability insurances have all been updated and renewed.
 - All ICJ Travel Reimbursement Expense Reports for the 2022 Annual Business Meeting received to date have been processed. At future meetings, there will be discussion of streamlining processes for better reimbursements.

Committees

- Chair Belli spoke to the importance of the work of the ICJ Standing Committees and Regions and asked that the December reports include any priority agenda items anticipated in 2023.

Finance Committee Report by Dale Dodd (NM)

- Chair Dodd (NM) reported that the Finance Committee met November 16, 2022. During the meeting, Director Underwood provided a committee orientation

regarding the Commission's financial processes, accounts, and budgets, including the FY 2023 actual expenditures to date.

- Chair Dodd and Vice Chair Pendergast worked with the National Office to draft a notice of change to advise all Commission members of their FY 2024 ICJ Dues amounts.
- Throughout the year, the Finance Committee will discuss possible cost savings measures and look to modify the Travel Reimbursement Policy.

Rules Committee Report by Stephen Horton (NC)

- Rules Committee Chair Horton (NC) reported that the Rules Committee met on November 2, 2022. The Rules Committee continues to discuss the travel permit rule. A recent issue regarding states not accepting travel permits that were not signed in UNITY was discussed. The Rules Committee agreed the matter does not require a change to the rules and referred the matter to the Training Committee to develop a best practice or training bulletin.
- The next meeting is December 7, 2022 and February 28, 2023 is the last day to submit proposals.

REGION REPORTS

Midwest Region Report by Chuck Frieberg (SD)

- In the absence of Representative Frieberg, Chair Belli announced his report will be included on the December Executive Committee meeting agenda.

South Region Report by Felicia Dauway (SC)

- South Regional Representative Dauway reported that the South Region met on November 15, 2022. Members shared information about the committees on which they are serving, as well as providing state-specific updates. Staff shortages continue to be problematic in most states.
- The South Region discussed airport supervision, and made a plan to draft a proposed rule amendment to Rule 7-107 prior to the deadline.

West Region Report by Howard Wykes (AZ)

- West Regional Representative Wykes reported that the West Region met November 8, 2022. The meeting was primarily comprised of updates on committees and states.
- The region resumed discussion from a previous meeting regarding an issue related to Rule 6-105. The issue involves a home state failing to return a youth who is being held as a runaway in a holding state when the parent refuses to requisition the return. Members discussed the importance of working with social service agencies to facilitate returns of non-delinquent juveniles with abuse/neglect allegations and abandonment issues. A small workgroup of members will outline the issue as the West Region looks to recommend a best practice around ICJ staff working with state social service agencies.
- Currently there are no rule proposals from the West Region and the next meeting is January 11, 2023.

East Region Report by Caitlyn Bickford (NH)

- East Regional Representative Bickford (NH) reported that the East Region met November 9, 2022. The meeting was primarily comprised of committee and state-specific updates.
- The East Region briefly discussed the Legal Memorandum from Rick Masters, Legal Counsel, regarding the question: *Should “detention” or “custody” be defined in the ICJ Rules to clarify when the 24 hours begins for application of ICJ to runaways (per ICJ Rule 6-101)?*
- Commissioner Roy Curtis (ME) brought to the table for discussion the questions: “How should states handle deferred adjudications/dispositions? Is a proposed UNITY enhancement and/or rule amendment is needed?” The East Region discussed the questions and will consider a proposed rule amendment to the Travel Permit Rule 8-101. Additionally, there will be discussion regarding an after-hours protocol rule proposal.
- Another topic for discussion in January will be Compact states not holding runaways if they are not entered into the NCIC.

Legal Counsel Report by Rick Masters

- R. Masters, Legal Counsel, reported that the revised draft of the *ICJ Bench Book* has been completed. He commented about the amicus brief reported earlier by Director Underwood and offered a copy to anyone wishing to review.

Old Business

Airline Refund Request

- Chair Belli recapped on the action taken in October. Legal Counsel, R. Masters, prepared letters to American and Delta Airlines requesting a refund for the cancelled flights to Vermont for Kentucky Commissioner Amy Welch. The cancellation was due to health issues.
- R. Masters affirmed that there has been no response from either airline. He added that airlines typically agree to reimburse the full amount and offer unused airfare credit.
- Chair Belli updated on a recent article whereby the U.S. Department of Transportation is looking at the airlines’ strict reimbursement policies.

New Business

Election of 2023 Victim’s Representative

- Chair Belli presented Nataki Brown as a candidate for the 2023 ICJ Victim’s Representative. Nataki Brown served in the role for the last two years and was the only nomination received. T. Hunt (CT) nominated Nataki and she agreed to accept the nomination prior to the meeting.
- **F. Dauway (SC) made a motion to elect Nataki Brown to serve as the ICJ Victims’ Representative for 2023. T. Hunt (CT) seconded. The motion passed unanimously.**

Executive Committee 2023 Extended Spring Meeting

- Chair Belli reported that the 2023 ICJ Executive Committee Spring Meeting will be held in Lexington, Kentucky, either the week of March 20 or the week of

March 27. She asked members to check their March calendars and notify Emma Goode if they are not available either of these weeks.

2024 Annual Business Meeting Location

- Chair Belli announced that it is time to start planning for the 2024 Annual Business Meeting (ABM) location to secure a venue contract. The location rotates around the four regions and the South Region is up to host in 2024.
- Chair Belli reported that California has a prohibition on state-sponsored travel to 23 states with discriminatory laws. The list continues to expand without any being removed. Utah was added to the list after the contract for the venue was entered. Currently, all South Region states are on the prohibited list, except Maryland, Missouri, and Virginia.
- C. Bickford (NH) commented that limiting to the three South Region states would not preclude those states to also being added to the list by 2024.
- Director Underwood explained states are added to the list because of laws that discriminate against lesbian, gay, bi-sexual and transgender people. D. Dodd (NM) commented that the ban is based on the opinion of California policy makers that some laws are discriminatory. S. Horton (NC) noted that the individual traveling can seek an exemption to the ban to attend. The ban was discussed in the Rules Committee, and members decided to plan a face-to-face meeting in Kentucky, despite the ban.
- C. Copeland (TN) sympathized with the California ICJ representative, then added it is unfair for other states not be considered as a host for the ICJ Annual Business Meeting; She also noted that the remaining three states could also be added by 2024. Region representatives C. Bickford (NH) and H. Wykes (AZ) concurred and added that a decision should be made based on the best interest of all states. Treasurer Jones also agreed.
- **D. Dodd (NM) made a motion to not limit the Annual Business Meeting (ABM) location search in accordance with the California banned states list for California state travel. C. Copeland (TN) seconded. The motion passed.**

Other

- Director Underwood recognized Jenny Adkins, Policy and Operations Specialist, ICJ National Office staff. Jenny completed 10 years of service with the Interstate Commission for Juveniles on November 12, 2022.
- The Executive Committee applauded Jenny for her excellent service and longevity to the Commission over the years in her many roles.

Adjourn

Chair Belli adjourned the meeting by unanimous consent without objection at 1:23 p.m. ET.