

# **INTERSTATE COMMISSION FOR JUVENILES**

## *Executive Committee Meeting Minutes*

**December 16, 2021**

12:00 p.m. ET

Via Zoom



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### **Committee Members in Attendance:**

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

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

1. Becki Moore (MA), East Region Representative
2. Chuck Frieberg (SD), Midwest Region Representative

### **Guests in Attendance:**

None

### **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 12:00 p.m. ET.

### **Roll Call**

Director Underwood called the roll and a quorum was established.

### **Agenda**

**S. Jones (MD) made a motion to approved the agenda as presented.  
J. Rader (NE) seconded. With no objections, the motion passed by  
unanimous consent.**

## Minutes

**N. Belli (OR) made a motion to approved the November 18, 2021, meeting minutes as presented. S. Horton (NC) seconded. With no objections, the motion passed by unanimous consent.**

## Commission Chair Report *by Tasha Hunt (CT)*

### Executive Committee Orientation

- Chair Hunt completed the ICJ Executive Committee Orientation, with focus on the Roberts Rules of Order. The information covered in the orientation included the purpose of Roberts Rules; taking action; motions; tips for leaders; and voting.
- Chair Hunt expanded on the following motions:
  - Common Motions
    - Main motion (introduce a new item)
    - Motion to amend (vote on the motion to amend first)
    - Motion to postpone (discuss at a specific time later)
    - Motion to reconsider (bring back a main motion)
  - Incidental Motions
    - Point of order (draw attention to breach of rules/procedure)
    - Point of information (request explanation of the process or the consequence of the decision being debated)
- R. Masters elaborated on the following motions:
  - Motion to postpone. The motion must be coupled with a date. If there is no date in the motion, it essentially kills the motion for the topic to be discussed again.
  - Motion to reconsider must be made by someone who initially voted to approve the action to be reconsidered.
  - Motion to call the question is used to stop debate and move on to taking the vote.
  - Motion for point of order can also be used when the debate goes off the subject matter.
- Chair Hunt noted “unanimous consent” is a time saver for meetings to take care of routine business and retain more time for the substantive topics.
- N. Brown, Victims Representative, shared she has attended many board meetings and appreciates the refresher on Robert’s Rules. N. Belli (OR) commended the National Office and Rick Masters for their availability and assistance with the Robert’s Rules of Order in meetings as needed.
- Chair Hunt clarified a misnomer that a chairperson may only vote to break a tie. The chairperson has the right to vote as any other member. Chairs may recuse themselves from preceding if concerned that they may unduly influence the vote, and must where there may be a conflict of interest. R. Masters added that the Commission follows the Robert’s Rules of Order, except if By-laws or ICJ Rules address a procedure differently.
- Director Underwood added the election processes document requires region representatives seeking election to recuse themselves. Additionally, states that involved in compliance matters should recuse themselves from the debate and vote.

### Strategic Planning Meeting

- Chair Hunt updated that the 2-day in-person Spring Executive Committee Meeting is slated for March 22-23 at the Marriott City Center in Lexington, Kentucky. COVID protocols will be in place. Members should plan to travel on Monday (March 21) and Thursday (March 24) with the 2-day meeting on Tuesday (March 22) and Wednesday (March 23). Day 1 will be focused on the strategic plan and learning more about implementation science. Day 2 will be the monthly Executive Committee.

### **National Office Report** by *MaryLee Underwood, Executive Director*

- Director Underwood provided updates regarding states and the ICJ National Office.
  - Louisiana – Kimberly Dickerson has been appointed Designee and authorized to vote in the absence of Commissioner Juanita Anderson-Hilton.
  - FY22 Dues – To date, one member remains unpaid. Should dues not be received by December 31, 2021, a 90-day notice letter will be issued notifying that if dues are not received by 120-days, the matter will be referred to the Compliance Committee.
  - Downsizing the ICJ National Office – A new, smaller office space has been negotiated for a new lease effective March 1, 2022, as all staff are working from home. The office space will serve as a backup office, mail hub, and storage area. The new cost is \$6,200 a year, a substantial savings from the previous \$30,000 a year. The mailing address will remain the same.
  - Disposal of Furniture & Equipment – Director Underwood shared the plan for disposal of furniture and equipment which included: selling as much as possible, allowing employees to re-home items fully depreciated, and the remainder will go to local non-profits. The telecommunications are also being revamped to reduce costs.
  - N. Belli (OR) questioned if an inventory list of disposed items was being maintained. Director Underwood replied there is an inventory process and a list maintained. S. Jones (MD) asked what happens to the money for the sale of items. Director Underwood responded it would be deposited in the general fund checking account. J. Rader (NE) inquired as to moving costs. Director Underwood estimated \$500.

### **Improving Outcomes and Maintaining Healthy Data**

- Director Underwood addressed the importance of “maintaining healthy data” in UNITY. The phrase has been discussed in several meetings; however, some Executive Committee members may be hearing for the first time. It is important for the leadership to have a clear understanding.
- Director Underwood applauded the work of the Commission to successfully roll out UNITY, nearly seven months ago. She noted that the original goal of developing a new data management system was to improve outcomes.
- Launching a system that is more efficient and user friendly was a great start. With the recent introduction of UNITY Reports in Tableau, the Commission can now proactively monitor data and use it to improve outcomes.
- Proactive monitoring involves both the state Compact offices and the National Office. Some state offices are already monitoring their data very closely and

using it to work more effectively with local authorities who are directly involved with juveniles, as discussed in recent UNITY Workshops.

- The National Office is also monitoring data and using it to improve the system. For example, the National Office recently emailed states regarding overdue quarterly progress reports (QPRs) to determine if any were related to errors with the initial data migration that caused some QPR dates to be entered incorrectly. The National Office also reached out to states with juveniles who had atypical ages, some of which were obviously a key stroke error. The purpose of such contacts is to assist states in spotting issues early and to help states become familiar with how they can use the data available through reports.
- Director Underwood noted that Joe Johnson is responsible for the data management system and maintenance. Any contact from him is UNITY maintenance, not compliance issues.
- In the months ahead, the Commission will continue to roll out more UNITY Reports, which provide more opportunities for proactive monitoring by states and the National Office. In January, a Juvenile Profile Data Report, will include data regarding:
  - Juvenile Age (<10 and >25)
  - Duplicate juveniles
  - Juveniles without cases
- Monthly UNITY reporting sessions led by Compact staff will be held at 1 PM ET on the third Wednesday each month. All staff are invited, not just UNITY Coordinators.
- Should you wish for someone in your office to have access to the Tableau, they should first complete the Tableau Report Training course in the ICJ Talent LMS course catalog. The National Office receives a weekly report of who has completed and increases the number of persons licensed to have access to Tableau. The December monthly UNITY Workshop featured a discussion of how states can use reports to proactively monitor data, presented by Shyra Bland (NJ).
- As suggested by the officers, the National Office will send out a video message soon to all state ICJ officers to address the importance and the purpose of proactive monitoring, and reassure ICJ personnel that a contact from the National Office does not indicate that a compliance action has been triggered.
- Lastly, two new features have recently been added that will help states to do the type of proactive maintenance that is needed.
  - Merge/Purge – Allows states to merge juvenile profiles (and related cases) when there is more than 1 for single juvenile.
  - Delete Unintended Event – Allows states to delete events created by accident.

#### **Compliance Committee Report by Jacey Rader (NE)**

- Compliance Committee Chair J. Rader (NE) reported the Compliance Committee conducted its first meeting, December 8. The first action was to amend the Code of Conduct Policy #01-2017. In an effort to streamline redundancies by Commissioners, Designees, and the National Office, the Compliance Committee recommended an amendment of the Code of Conduct Policy to no longer require the Code of Conduct Form to be signed each year. She presented the

recommended striking of language in Section IV. Disclosure of Conflicts of Interest, paragraph 2.

- **S. Jones (MD) made a motion to approve the amendment to the Code of Conduct Policy #01-2017 as presented. K. Torres (IA) seconded. The motion passed.**
- Another action by the Compliance Committee was a recommendation to amend Performance Measurement Assessment Standards A-13 and C-01 to reflect changes due to the rule amendments 5-103(1) and 3-101 respectively, effective March 1, 2022. J. Rader (NE) shared the modifications to each standard.
- **S. Horton (NC) made a motion to approve the amended Performance Measurement Assessment Standards A-13 and C-01 as presented due to the amended Rules 5-103(1) and 3-101. N. Lawson (OH) seconded. The motion passed.**
- The Compliance Committee plans to conduct an extended meeting via Zoom in February to review the Performance Measurement Standards with the following questions in mind:
  1. Is there anything we do not need any more?
  2. States are going to know where they stand quarterly from the UNITY Reports. If UNITY Reports provided the measures, do we need to conduct an annual PMA?

#### **Finance Committee Report** *by Corrie Copeland (TN)*

- Finance Committee Chair C. Copeland (TN) reported the Finance Committee conducted its first meeting December 8.
- Director Underwood commented the first meeting was more about training new and returning members to become familiar with the accounts, budget format, and codes. The Finance Committee reviewed the FY 22 Budget actual expenditures through October 31, 2021 and was pleased to report the Commission is on track for the year.
- C. Copeland (TN) updated a lot of the meeting was a discussion of ideas, costs, and COVID precautions for the 2022 Annual Business Meeting in Burlington, Vermont. Ideas discussed included live streaming and limited attendance to voting members as a COVID precaution. Committee member, M. Casey (DE), shared the COVID protocol used recently in an AAICPC meeting. The Finance Committee requested Director Underwood obtain more information from AAICPC and share at their next meeting.
- The next meeting is January 26, 2022.

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

- Information Technology Committee Chair K. Torres (IA) reported the Information Technology Committee met December 7 and reviewed priorities for the year.
- The Form IX - QPR and Form IX - Violation were reviewed for updates due to the rule amendments, effective March 1, 2022. The revised forms were sent to members of the Rules and Executive Committee Committees, which launched the 30-day comment period.
- The Reporting & Data Visualization Subcommittee continues to work on reports produced by Tableau, and assist with the monthly UNITY meetings. Members

were encouraged to provide feedback regarding reports to the subcommittee, led by Rachel Johnson (NC).

- The Enhancements Subcommittee has reviewed all enhancement requests and narrowed the list to a top 20. The top 20 have been forwarded to Optimum Technology for quotes. Once quotes are received, the enhancements will be submitting to the Technology Committee for review and recommendation.
- The Technology and Training Committees are collaborating on the following projects:
  1. monthly UNITY workshops;
  2. Transportation Identification Form Training; and
  3. participation with the ICJ in Action Courses development.
- The next meeting is scheduled January 20.

#### **Training, Education and Public Relations Committee Report** *by Nate Lawson (OH)*

- Training Committee Chair N. Lawson (OH) reported the Training Committee met December 2. The 2021 ABM feedback survey results were discussed for the 2022 ABM training topics. A common response was to offer a means for those who are not in attendance to be involved.
- The Training Committee will collaborate with the Technology Committee to develop the ICJ in Action Courses. The goal is to complete 10 (ten) courses by the end of the 2022 fiscal year. Also, there is collaboration to continue with live demonstrations during the monthly UNITY workshop. The live sessions are recorded and uploaded to the ICJ Talent LMS on demand learning center.
- The Training Committee brainstormed training ideas for the new Transportation ID Form for both ICJ and TSA and that discussion will continue next month.
- Daryl Liedেকে (TX) will serve as the Training Committee Vice Chair for the year and the next meeting is scheduled for January 6, 2022.

#### **Rules Committee Report** *by Stephen Horton (NC)*

- Rules Committee Chair S. Horton (NC) reported the Rules Committee met December 1. The meeting was primarily a training on the ICJ Rules promulgation process from the draft proposal through to the vote and amendment training.
- In January, a Subcommittee will meet to discuss a proposal for the definition of “relocate.” The next full committee meeting is February 2.
- February 9 and 22 are the two live rule amendments trainings via Zoom led by Rules Committee Chair Horton and Rules Committee Past Chair, Tracy Hudrlik (MN) with Technology Committee K. Torres (IA) assisting with the Form II training section. The live training will be recorded and made available on the Talent LMS.

#### **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 December 14. The meeting started with the question: Why did you join this ad hoc committee? The responses indicate a win-win year ahead as the members will provide both contributions and take away actions to share within their states.



- The Ad Hoc Committee for Racial Justice discusses sensitive matters; therefore, a list of group norms was shared. Next month, the members will establish a list of group norms for meetings which includes such things as: do not interrupt when someone is speaking.
- The 2021 ABM Feedback Survey was discussed. The majority of the respondents indicated the workshop presented the Ad Hoc Committee for Racial Justice was very valuable, with one person responding it was out of scope for the Commission.
- The next meeting is January 18.

#### **South Region Report** *by Daryl Liedecke (TX)*

- South Region Representative D. Liedecke (TX) reported the South Region met December 7. All states attending provided an update. Alabama shared a recent situation with the unwillingness in one county to assist with the Compact.
- Next month the members will provide updates on the work of the committees for which they are serving.
- A small group is forming to discuss developing best practices for local field staff.
- The next meeting is March 1.

#### **West Region Report** *by Michael Farmer (CA)*

- West Region Representative M. Farmer (CA) reported the West Region met November 30. Items discussed included the most recent advisory opinion and UNITY Tableau Reports. States provided updates, most of which were around their office work schedules. Dale Dodd will serve as the Alternate West Region Representative this year.
- As a result of the discussion of strategies for coping with limited detention options for non-delinquent runaways, three West Region members are working with Jenny Adkins to develop a smart sheet to track non-delinquent runaways – how they are held, demographics, and issues with return. The West Region will complete in January and share the results at the February 16 West Region meeting,

#### **Legal Counsel Report** *by Legal Counsel Rick Masters*

- R. Masters, Legal Counsel, presented two amended draft ICJ Advisory Opinions #01-2020 and #03-2021. The drafts reflect updates due to the amended ICJ Rule 5-101 which goes into effect March 1, 2022.
- Director Underwood noted in the process of updating Advisory Opinion #03-2021, page 3 was also amended to better address recent concerns regarding communication. In the third paragraph of the Analysis and Conclusions, “*related to supervision*” has been added to clarify there may be contact apart of the supervision, such as in open social services cases.
- **J. Rader (NE) made a motion to approve the amendments to ICJ Advisory Opinions #01-2020 and #03-2021 as presented, effective March 1, 2022. N. Belli (OR) seconded. The motion passed.**
- R. Masters commented that sometimes unique cases are vetted and resolved one on one with the states involved. He shared a recent issue between Virginia and Maryland summarized below:

- A non-delinquent runaway absconded following a requisition hearing, when an attorney representing the juvenile filed an appeal. Since there was reason to believe the juvenile was no longer in the holding state, it was determined that the holding state no longer jurisdiction to act.
- Legal Counsel brings the issue to the attention of the Executive Committee as the ICJ Rules do not address what should happen if a juvenile absconds prior to a return and the Commission may wish to examine for rules for a recommendation to address such incidents.

### **Victims Representative** *by Nataki Brown*

- Ex Officio Victims Representative N. Brown (SC) thanked the Executive Committee for their vote of confidence in her to serve in the Victims Representative role another year. She shared the following information as it relates to juveniles.
  - December is National Youth Justice Action month. President Biden doubled the funding for juveniles in the “reentry” program in an effort to provide juveniles a second chance.
  - She suggested showcasing the Victims’ Rights Week in 2022. The 2022 theme is: Fraud Alert and Human Trafficking National Action Plan.
  - She updated on the “terms of the months” for October, November, and December from the National Institute of Justice:
    - Intimate partner violence = physical / sexual /phycological harm by a current or former partner.
    - Desistance = the reduction in criminal behavior over time.
    - Machine Learning = the study of computer algorithms that improve automatically through experience.

### **Old Business**

- N. Belli (OR) provided brief wrap up of the 2021 ICJ Annual Business Meeting with the following feedback survey results:
  - The survey was emailed to all 168 registered guests.
  - 43 responded to the survey.
  - The survey was open October 8 – 18, 2021.
  - Overall, 80% rated the meeting “above average” or “excellent” with 53% of the those receiving an “excellent”.

### **New Business**

#### **Planning for 2022 Annual Business Meeting (ABM)**

- N. Belli (OR) updated on the planning and preparation for the 2022 Annual Business Meeting (ABM) to date for an in-person meeting October 3-5, 2022 in Burlington, VT. The ICJ National Office issued a planning survey. The results from 47 Commissioners & Designees in 41 states were:
  - 79% indicated no current travel restrictions/other limits prevent traveling to out-of-state meeting.
  - 83% believed travel will be approved for 2022 ABM.
  - Provided good suggestions for COVID precautions.



- She presented the following ideas for the Executive Committee to begin thinking about as decisions will need to be made in the near future as they receive recommendations from committees:
  - COVID Precautions (mandatory masks, onsite rapid test, seating, etc.)
  - Streaming Content (not hybrid event) [Training Committee]
  - Agenda/Training Sessions [Training Committee]
  - Travel Reimbursement Policy/Budget Amendment [Finance Committee]
  - Limiting Participations to Commissioners & Other “Essentials”
  - Nominations & Elections Process [Racial Justice Committee]
- N. Belli (OR) shared a draft “COVID Precautions” Protocol for input. The draft was developed from research and a combination of the AAICPC and CDC guidelines, and included the following precautions.

#### **Pre-Event Testing**

- Testing prior to travel encouraged (to avoid unnecessary travel if positive result)
- Onsite Rapid Antigen Testing required each day. Begin 2 hours before meeting starts

#### **Wellness Checks**

- Temperature checks at entrance doors
- Entry denied if temperature of 100.4 or more. Attendee asked to return to hotel room
- Vaccination encouraged, but no proof required and no data collected

#### **Personal Protective Equipment**

- All attendees will be required to wear masks at all indoor functions (except when eating/drinking)
- Masks will be made available

#### **Physical Distancing Measures**

- One-way entry and exits, where possible
- Rooms will be set up to ensure physical and social distancing, where possible

#### **Cleaning & Disinfection**

- Hand sanitation stations (hand sanitizer) will be available & placed in high-traffic areas
- Disinfectant wipes will be available for disinfecting microphones and podiums

- K. Torres (IA) commented that she attended the AAICPC meeting, referenced earlier under the Finance Committee Report, and recalled her experience with the AAICPC COVID Precautions. While the daily COVID rapid test was reassuring, there were delays each morning. She suggested to start onsite testing earlier and assign attendees to a time to complete. Additionally, attendees were seated about 3-feet apart and wore masks. Lunch seating was round tables of 3 or 4 and attendees were on their own for dinner in the evening.
- R. Masters commented that he also attended that meeting and believed some of the requirements were based on local laws. Additionally, he commented that from a liability standpoint, perhaps attendees should be required to show

vaccination card. S. Horton (NC) commented that even vaccinated persons can acquire COVID.

- N. Lawson (OH) noted that someone tests positive, the person would be required to return to their room and call their state for next steps. This brings the question of who pays for extended stays, flight changes, etc. He suggested that more about the response to a positive test result be included with the guidelines.
- Director Underwood noted the discussion is timely, as plans are underway for the face-to-face Executive Committee Spring Meeting. R. Masters commented that vaccinations do not preclude catching the virus, perhaps the onsite rapid testing should be provided.
- N. Belli (OR) noted the March Executive Committee to be a trial run for the ABM and perhaps attendees should be encouraged to test prior to traveling and purchase travel insurance for their flight. She thanked everyone for their input nothing the discussion will continue next month.

### **Preparing for Amendments to ICJ Rules, Effective 3/1/22**

- Director Underwood updated that 192 ICJ resources were reviewed to determine whether or not changes were warranted due to the rule proposals going into effect March 1, 2022. She complimented Jenny Adkins for leading the review and presented the updated resources as outlined below.

#### *Administrative Changes Only (no vote necessary, changes limited to updating language in the rules)*

- Legal White Paper: Implications of Requests for Remote or In-Person Testimony of ICJ Compact Administrators and/or Staff
- ICJ Administrative Policies:
  - 2020-01: Juvenile Record Expungement
  - 2020-02: Information System Modifications
- Legal Advisory Opinions:
  - 03-2012: Return of absconder who is “adult” in H/D state, but “juvenile” in holding state
  - 02-2015: Signatures on VI
  - 03-2018: Whether H/D state is required to return juvenile if warrant was withdrawn
  - 01-2021: HIPPA & UNITY

#### *Substantive Changes (amended rule required triggered additional changes)*

- Legal Advisory Opinions
  - 01-2020: Can a receiving state require sending state to provide revised Form VI and IV when juvenile makes intrastate move after the Transfer of Supervision is approved.
  - 03-2021: Communication between Supervised Juvenile & Prior Case Workers in Sending State
- These amended legal advisory opinions were approved above under the Legal Counsel Report.

- Director Underwood presented ICJ Administrative Policy #2021-02 UNITY Privacy Policy, noting in addition to the rule change, there was a dangling clause on page 2 which required correction.
- **J. Rader (NE) made a motion to remove the dangling clause and approve the amended Policy #2021-02: Unity Privacy Policy as presented. S. Jones (MD) seconded. The motion passed.**

*Archive (no longer valid)*

- Legal Advisory Opinions
  - 04-2018: Whether a person should be returned as a juvenile when being detained as a juvenile in the holding state, but has an outstanding warrant from an adult court in the home state
  - 03-2019: Can a person subject to a juvenile warrant be released on bond when he is considered an adult under the laws of the demanding and holding states based on age of majority
- **S. Jones (MD) made a motion to archive Legal Opinions #04-2018 and #03-2019 as recommended. K. Torres (IA) seconded. The motion passed.**
- Director Underwood noted a few other amended resources will be forthcoming after their review by their respective committees.

**Adjourn**

- **Chair Hunt adjourned the meeting without objections by unanimous consent at 2:28 p.m. ET.**