

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes



June 17, 2021

12:00 p.m. ET

Via WebEx

Committee Members in Attendance:

1. Jacey Rader (NE), Chair
2. Jedd Pelander (WA), Vice Chair
3. Corrie Copeland (TN), Finance Committee Chair
4. Tracy Hudrlik (MN), Rules Committee Chair
5. Anne Connor (ID), Technology Committee Chair
6. Felicia Dauway (SC), Training Committee Chair
7. Becki Moore (MA), East Region Representative
8. Chuck Frieberg (SD), Midwest Region Representative
9. Daryl Liedেকে (TX), South Region Representative
10. Michael Farmer (CA), West Region Representative
11. Nataki Brown, Victims Representative, Ex Officio

Committee Members Not in Attendance:

1. Natalie Dalton (VA), Compliance Committee Chair
2. Nate Lawson (OH), Treasurer

Guests in Attendance:

1. Rick Masters, Legal Counsel
2. Sherry Jones (MD), South Region Alternate Representative
3. Ron Quiros, Ex Officio (NPJS)
4. Edwin Lee, Jr. (NJ), Designee
5. Rick Masters, Legal Counsel

National Office Staff 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

Call to Order

Chair Rader (NE) 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. Pelander (WA) made a motion to approved the agenda as presented.
F. Dauway (SC) seconded. The motion passed.

Minutes

D. Liedecke (TX) made a motion to approve the May 20, 2021 meeting minutes as presented. F. Dauway (SC) seconded. The motion passed.

Commission Chair Report *by Jacey Rader (NE)*

Welcome NPJS Ex Officio

- Chair Rader welcomed the new ICJ National Partnership for Juvenile Services (NPJS) Ex Officio, Ron Quiros.
- Mr. Quiros expressed his appreciation for the opportunity to partner with the Commission. Mr. Quiros shared that he has been a member of the NPJS over 10 years and he has participated in many events as a member of the Board of Directors. He is originally from Costa Rica and was raised in Miami, Florida. Currently, he is the Chief Juvenile Probation Officer for a juvenile probation department in Texas.

Opportunities to Recognize ICJ Staff & Leaders

- Chair Rader encouraged members to recognize the accomplishments and contributions of ICJ personnel throughout the nation. There are two special ways the Commission acknowledges contributions:
 1. Staff Recognition Nominations
 - Nominations are accepted throughout the year; however, nominations received by the end of June will be included in the Fiscal Year (FY) 21 Annual Report. The form is available on the Commission's [website](#).
 2. 2021 ICJ Leadership Award
 - Commissioners, Designees, Compact Administrators, DCAs, or Compact Coordinators may be nominated. The nominees will be presented to the Executive Committee at the August meeting and an electronic vote will be taken.
 - The nomination period opens [July 6 and closes August 6](#).

National Office Report *by MaryLee Underwood, Executive Director*

State Updates

- Director Underwood noted during region meetings states are reporting an increase in runaways as states reduce pandemic-related restrictions. Similarly, many states reported that courts and other related activities are returning to normal operations and addressing the backlogs.

National Office Update

- The National Office is wrapping up FY 2021 which ends June 30, 2021.
- The FY 2021 Audit will be conducted the week of August 9.
- Preparations for the 2021 Annual Report are underway. The State-by-State Movement of Juveniles Statistical Report Data will include combined information from both JIDS and UNITY.
- The ICJ National Office will re-open July 1. Due to the broad availability of vaccines and significant reduction in the positivity rate, it is safe to reopen and

allow employees to come in with some precautions in place. Staff have been very productive throughout the pandemic. Employees have been advised that they may request continuation of telecommuting privileges pursuant to ICJ Personnel Policies.

Justice System Partnership for Racial Equity

- The partnership was launched last year and now includes 15 national associations and commissions representing a wide variety of criminal justice agencies and professionals, including probation and parole authorities, judges, prosecutors, and defense attorneys. Partners are currently discussing issuing a press release to announce the collaboration and sending a letter to the President Biden to partner with the justice system partnership. The group also discussed recent increases in crime rates.

UNITY Updates

Migration Complete

- Director Underwood acknowledged that one month has passed since the go-live date of the new national data management system, UNITY. More than 90 percent of active transfer of supervision cases were successfully migrated. A few cases required date modifications. The ICJ National Office staff collaborated directly with the impacted states and are working diligently with the vendor to address system issues and “bug fixes” are being released bi-weekly.

Training

- All planned UNITY-specific courses have been completed and released. Beginning July 1, new courses will be announced to the Compact offices; however, they will not be assigned to specific users. Plans for future courses are being developed by the Training Committee.

Current Focus

- Now focus is shifting to fine tuning the system and providing support. Director Underwood explained the difference between a bug fix (system not working the way it was designed) and an enhancement (suggestion on how the system could work better in version 2.0).
- Enhancement requests will be processed through the Technology Committee from the requests received via the Enhancement Request Form which is available on the Commission’s website under the UNITY tab.
- The UNITY helpdesk is being developed for ongoing support, using the Zendesk platform which will replace the current SmartSheet model.

Committee Reports

Finance Committee by Chair Corrie Copeland (TN)

FY 22 Budget Amended

- Finance Committee Chair Copeland reported that the Finance Committee met June 8 and approved a recommendation to amend the FY 22 Budget. Chair Copeland presented the proposed amendments by highlighted the specific line

items proposed to increase or decrease. The change impacts line items however the overall budget total remains the same and in balance. The recommendation for amending is in part due to the extension of the UNITY go-live date, cancellation of face-to-face meetings during the pandemic, no longer sharing office space and operational accounts with the Interstate Commission for Adult Offender Supervision (ICAOS), and general inflation.

- **C. Copeland (TN) made a motion to approve the amended FY 22 Budget presented and recommended by the Finance Committee. A. Connor (ID) seconded. The motion passed.**

FY 23 Dues Recalculation

- Chair Copeland reported that ICJ Dues recalculation is scheduled to take place in August 2021, effective for FY 23 Dues. States are struggling with the impact of the pandemic and establishing new norms. She expressed concern that increasing the ICJ Dues during this time could create hardships for states and proposed that the recalculation of dues be deferred for one-year, making it effective for the ICJ Dues Fiscal Year 2024.
- M. Farmer (CA) questioned whether the adjustment would be to the tiers or to the placement of states within the tiers.
- Director Underwood replied that there both are possible adding that a general increase will probably be needed due to the rising costs of doing business. Most states are currently paying the same dues as when the Commission was established. The FY 23 operating costs are estimated to be thirteen percent higher than the current dues allocation. Costs have consistently risen over time due to general inflation, growth of technology-related costs, no longer sharing expenses with ICAOS, and other factors. Increased costs were easily absorbed for the last two fiscal years due to the cancelation of in-person meetings. In person meetings and meeting costs will return in FY 23 with increases due to inflation. Additionally, the 2022 Annual Business Meeting is contracted for the East Region, which is among the most expensive.
- **A. Connor (ID) made a motion to defer the recalculation of the ICJ Dues for one year due to the impact of the COVID-19 pandemic, which would make it effective in Fiscal Year 2024. D. Liedecke (TX) seconded. The motion passed.**
- The next Finance Committee meeting is August 12.

Information Technology Committee by Anne Connor (ID)

- Information Technology Committee Chair Connor reported that the Technology Committee met June 15 and the following actions were taken:
 - The process for UNITY Enhancement Requests was confirmed.
 - The Technology Committee reviewed the potential impact of proposed rule amendments and agreed that the ICJ National Office will request an estimate from the vendor and add fiscal impact to the applicable proposals.
 - The Technology Committee discussed the Rules Committee's withdrawal of support for the Technology Committee's proposed amendment to Rule 8-101, paragraph 1(b)(ii). The Technology Committee rejected the recommendation from the Rules Committee to withdraw the proposed

amendment to that section. Someone from the Technology Committee will attend the Rules Committee's July meeting to clarify the proposal to garner support.

- The UNITY Data Visualization Team will reconvene in July. Members of the team include: Rachel Johnson (NC), Nate Lawson (OH), Brandon Schimelpfenig (WY) and Jedd Pelander (WA). Chair Connor indicated that she would like two additional Technology Committee members to join the team. No one volunteered. Chair Connor indicated that she would recruit members directly.
- At a future meeting, the Technology Committee will discuss concerns regarding ICJ Form II: Requisition for Escapee or Absconder and Requisition for Accused Delinquent with regards to what happens when an accused delinquent needs to be returned on the Form II, however the juvenile did not flee to avoid prosecution.
- The Training and Technology Committees are developing a joint UNITY Survey. The collaboration survey will combine a collection of questions regarding the user experience and satisfaction in UNITY.
- The Technology Assistance Team will continue to provide assistance upon request. Requests should be submitted via the Commission's website in accordance with the Training and Technical Assistance (TTA) policy.

Rules Committee by Tracy Hudrlik (MN)

- Rules Committee Chair Hudrlik reported that the Rules Committee conducted an extended meeting on June 10 to review all the comments regarding proposed rule amendments. Proposals receiving comments were addressed and action taken as necessary.
- The committee will meet again on July 7 to hear from the Technology Committee regarding their proposal to Rule 8-101 and begin preparations for the rule proposals training session slated for October 4 during the Annual Business Meeting (ABM).
- The final meeting (if necessary) as well as the final posting of the proposed rule amendments will occur August 4.
- The public hearing will be held September 9 in advance of the week of the ICJ Annual Business Meeting (ABM) in October.
- The final vote will be conducted October 7 during the 2021 ABM General Session.

Training Committee by Felicia Dauway (SC)

- Training Committee Chair Dauway reported the Training Committee met on June 3 and agreed to develop a series of model-specific meetings to provide a forum for members to discuss strategies and receive support. Development is underway and the presenters for each are as follows:
 - Model 1 – Jessica Wald and Holly Kassube
 - Model 2 – Sherry Jones and LaToya Oliver
 - Model 3 – Nordia Napier and Felicia Dauway
- Training Committee members shared that overall UNITY was going well. Much of the success was attributed to preparing cases on the front end and they found

the live UNITY Q&A sessions helpful and timely. Others shared they like requiring the completion of on-demand UNITY trainings and the ability to lock out state UNITY users until all trainings were successfully completed.

- Members discussed ideas for developing a training plan for the next six months. N. Napier (CT) suggested conducting a survey to gather input from users regarding their needs. The survey will be consolidated with the Technology Committee's UNITY survey as reported earlier.
- Next month, the committee will discuss resuming the development of the on-demand ICJ in Action/CORE Courses, as well as live UNITY training sessions.

Ad Hoc Committee on Racial Justice *by Becki Moore (MA)*

- Ad Hoc Committee Co-Chair Moore reported that the ad committee met on May 25. The Ad Hoc Committee is working to promote equitable use of graduated responses, and is discussing introduction of a resource library to compliment their proposed rule amendment.
- The ad hoc committee is slated on the 2021 Annual Business Meeting to feature their work throughout the year and plans are underway to finalize the session.
- Ad Hoc Committee Member E. Lee, Jr. (NJ) presented the Ad Hoc Committee's recommendations for modifications of the ICJ Nominations and Elections process. He highlighted recommendation and explained the intent is to formulize a process that broadens the pool of candidates and allows the Commission members an opportunity to share their interest and qualifications in advance of the Annual Business Meeting (ABM). He summarized that the proposed process would begin 60 days prior to the ABM. Interested candidates would submit information regarding their interest and qualifications to the National Office. This would allow all interested candidates an opportunity to share information about themselves with members throughout the country, and reduce uncomfortable and inefficient discussion in region meetings, where questions often arise about whether proposed candidates are willing to serve. This process would replace the current regional nominations process. Instead, the region meeting could include discussion of the process and the nominees. Additional nominations could still be made from the floor during the General Session. The regional representative nominations are also included in the proposal, as well as recommendations for committee chairs. The Ad Hoc Committee will finalize a document and provide to the Executive Committee in July.
- Commission Chair Rader noted that should the proposed process be approved the Executive Committee in the July, the process would commence in August for the 2022 ICJ Officers election.

Region Reports

East Region Report *by Becki Moore (MA)*

- East Region Representative Moore reported the East Region met June 3 and items below were addressed.
 - The region reviewed the proposed rule amendments.
 - As requested by Connecticut, the region discussed how states structure global conditions for release.

- States provided updates with a focus on the status of pandemic related restrictions. Many states reported that mask mandates have been lifted.

Midwest Region Report by Charles Frieberg (SD)

- Midwest Region Representative Frieberg reported the Midwest Region met May 27. The primary focus was the proposed rule amendments. States provided feedback on the UNITY go-live, which was mostly positive.

Legal Counsel Report by Legal Counsel Rick Masters

- R. Masters reported that he worked with Director Underwood regarding the post-pandemic reopening of the ICJ National Office, especially with regard to telecommuting.
- R. Masters provided an update regarding ICJ's response to request for testimony by other states. He noted that some Courts may not be comfortable making decisions solely from the ICJ documentation. Additionally, virtual hearings have sparked an increase in subpoenas across state lines, as such appearances are perceived as much simpler for witnesses. He advised that ICJ should not support this practice. Instead, the Commission should assert that UNITY is designed to provide appropriate business records to Courts that are admissible and not subject to exclusion pursuant to the "hearsay rule." He previously drafted a white paper for ICAOS on a related topic and will provide a similar resource for ICJ.
- Chair Rader noted that discussion of the conflict between the "no bail" rule and some state constitutions will be taken up at a future meeting.

Victims Representative by Nataki Brown

- Ex Officio Victims Representative N. Brown updated on the following for June:
 - President Biden signed the World Elder Abuse Day, effective on June 15.
 - The National Crime Victim Services recognized 13 individuals and organizations for their exemplary work supporting victims of crime during the pandemic.
 - The term of the month is *Mass Spectrometry*. She shared the definition and noted she will share more about its relationship to Court cases after conversing with her state's prosecuting attorneys.

Old Business

There was no old business.

New Business

Strategies for Balancing the ICJ Fiscal Year 2023

- Chair Rader shared that the ICJ FY23 Budget is effective for the year beginning July 1, 2022. Generally, the Commission completes each fiscal year under-budget and has carried over the surplus to the Commission's reserve accounts. Funds from the investment account were used to develop UNITY. Overtime, however, the cost of doing business has increased due to general inflation, increased technology costs, and no longer sharing office operations expenses

with ICAOS. The estimated budget for FY23 is \$127,000 greater than the current dues assessment.

- Chair Rader suggested that the Executive Committee take action this year to mitigate the FY23 overages and continue a healthy budget into the future. A few cost savings measures for consideration were suggested in the following areas:
 - Reduce the ICJ National Office physical office space.
 - Transition from WebEx to Zoom for teleconferencing.
 - Use virtual publications to reduce printing and postage costs.
 - Change the Rules Committee and Executive Committee face-to-face meetings to virtual.
- T. Hudrlik (MN) supported the cost saving measures presented above and additionally recommended that the Executive Committee revisit the ICJ National Office going completely virtual when the lease terminates. Director Underwood that some costs savings would be offset by additional costs for storage and meeting space. J. Pelander (WA) supports the proposed cost savings measures presented and the suggestion by Commissioner Hudrlik.
- M. Farmer (CA) questioned the cost and value to all the Annual Business Meeting (ABM) items printed and shipped. Further he commented that he would need to revisit the original purpose of the investment account.
- T. Hudrlik (MN) commented that Minnesota's ICJ staff and others are now working from home permanently and continue to implement paperless document storage. She supports electronic documents for the annual business meetings.
- Chair Rader added another option for consideration to reduce a major line item each year and would be to host the face-to-face annual business meetings in the less expensive regions. The Executive Committee will continue the discussion on this topic at the next meeting. The National Office will present the costs differences for the regions and more details to any other cost savings options.

FY 21-22 Strategic Plan Update

- Chair Rader provided an overview on the current ICJ Strategic Plan. The current plan was developed prior to development of UNITY, the onset of the COVID-19 pandemic, and the increased focus racial justice. As a result of these major events, the actions by the Commission were expanded and reshaped.

FY 21

- Chair Rader highlighted the major accomplishments in FY 21 in each of the four priorities and acknowledged the diligent work of the leadership and the dedication and collaboration by states throughout the year.

FY 22

- Chair Rader shared an overview of what lies ahead to accomplish in FY 22 and opened the floor for discussion of deferring three specific actions under ICJ Priority #4:
 - *Priority 4B: Action Steps 5-6 - Warrant Notification Project*
 - Chair Rader updated on ICJ's status with the Warrant Notification Project. Since the project was launched, plans significantly changed and therefore she posed two questions:

1. Does the Commission support the sharing of juvenile warrant information with other states through the NCIC and/or Nlets? Previously some states were concerned about the protection of juveniles' confidentiality.
2. Should the Commission encourage states to enter juveniles warrants into NCIC? Currently, some states do not have a means to enter and do not enter juvenile warrant information into NCIC.
 - Due to decisions made by the FBI, neither ICAOS nor ICJ will be able to get the ORI number required for direct communication with the NCIC. SEARCH is therefore pursuing a state-by-state model and is currently negotiating contracts with three pilot states.
 - The state-by-state model is more labor intensive and somewhat more costly. After the grant period ends, ICJ and ICAOS would become responsible for all support and maintenance costs. Currently, estimated costs are \$15,000/year beginning in FY 23 or FY 24. Additionally, states not onboard when grant expires, will incur additional costs to bring onboard.
 - From the beginning, ICJ expressed it may not be able to fully participate, due to the development of UNITY and policy concerns. SEARCH agreed that could limit participation to planning and governance.
 - T. Hudrlik (MN) requested more information prior to making a decision, including a "pros and cons" analysis.
 - Director Underwood indicated that staff could prepare such analysis and requested that Executive Committee members share whether their states currently enter data into NCIC.
 - J. Pelander (WA) noted that his answer would be different as it depends on the county.
 - Chair Rader requested that the Executive Committee members email the National Office detailing how their state operates regarding the entry of juvenile warrant information into NCIC.

Priority #4A: Action Steps 5-6 - State Council Training & Technical Assistance

- Chair Rader noted that many states are unable to focus resources on creating new state councils due to the pandemic and due to the focus of transitioning to UNITY.
- J. Pelander (WA) inquired as to how many states utilized the Training and Technical Assistance (TTA). Director Underwood updated that the Compliance Committee sent letters offering TTA to all states that did not either have a state council or had not met in five years. One state reached out prior to the letter; however, to date, none have requested TTA. The question becomes whether to pursue as a priority.

Priority #4C – Initiate Collaborations with Gatekeeper Organizations

- Chair Rader shared Priority #4: to initiate collaborations with "gatekeeper" organizations that respond to juveniles who may also be considered adults to educate them about ICJ. M. Farmer (CA) requested examples of gatekeeper organizations. Director Underwood responded that the first

action item would be to identify the gatekeepers and the second would be to reach out to those identified to further educate them about ICJ.

- Director Underwood updated that there has been some collaboration with sheriff's associations and prosecutors through the Justice Partnership on Racial Equity. C. Frieberg (SD) commented that the organizations, although not identified as such, do qualify as gatekeepers and recommended to defer.
- **C. Frieberg (SD) made a motion to defer both: Priority #4A - State Council Training & Technical Assistance and Priority #4C - Initiate Collaborations with Gatekeeper Organizations. M. Farmer (CA) seconded. The motion passed.**

2021 Annual Business Meeting

- M. Farmer (CA) questioned if an official announcement was released regarding the change to a virtual 2021 Annual Business Meeting in October rather than an on-site meeting in Billings, Montana. Chair Rader replied it was announced in the ICJ Updated e-newsletter and asked the National Office to research other notices to send something.

Adjourn

- The next meeting is scheduled for July 15, 2021.
- **J. Pelander (WA) made a motion to adjourn. T. Hudrlik (MN) seconded. The motion passed by acclamation at 1:53 p.m. ET.**