

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes

July 15, 2021

12:00 p.m. ET

Via WebEx



Committee Members in Attendance:

1. Jacey Rader (NE), Chair
2. Nate Lawson (OH), Treasurer
3. Natalie Dalton (VA), Compliance Committee Chair
4. Corrie Copeland (TN), Finance Committee Chair
5. Anne Connor (ID), Information Technology Committee Chair
6. Tracy Hudrlik (MN), Rules Committee Chair
7. Felicia Dauway (SC), Training Committee Chair
8. Becki Moore (MA), East 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. Chuck Frieberg (SD), Midwest Region Representative
2. Jedd Pelander (WA), Vice Chair

Guests in Attendance:

1. Rick Masters, Legal Counsel
2. Tasha Hunt (CT), Commissioner, Ad Hoc Committee on Racial Justice, Co-Chair
3. Edwin Lee, Jr. (NJ), Designee, Ad Hoc Committee on Racial Justice, Member
4. Ron Quiros, NJSP, Ex Officio

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

T. Hudrlik (MN) made a motion to approved the agenda as presented. N. Lawson (OH) seconded. The motion passed.

Minutes

T. Hudrlik (MN) made a motion to approve the June 17, 2021 meeting minutes as corrected. N. Dalton (VA) seconded. The motion passed.

Commission Chair Report *by Jacey Rader (NE)*

End of Fiscal Year 2021

- Chair Rader reminder members of the following year-end matters:
 - 2021 ICJ Leadership Award
 - Nominations will be accepted until August 6. Nominations will be presented to the Executive Committee in August. Voting will occur electronically after the meeting.
 - In-State Training Reports
 - Though states conducted extensive in-state training this year, in part due to UNITY, few reports have been submitted. Please submit training reports via the online form by Friday, July 16.
 - 2021 Annual Business Meeting (ABM) Docket Book Reports
 - Annual committee/region Reports should be submitted by August 20 or inclusion in ABM Docket Book.

Proposed Results Statement

- Chair Rader reminded members that the Executive Committee drafted a Results Statement at the meeting in April, which focused on Results Based Accountability and was facilitated by Hasan Davis. At that time, the Committee did not take formal action to adopt the statement.
 - **N. Lawson (OH) made a motion to approve the following statement as the Commission's Results Statement: "All ICJ youth and families are safe, support, and treated equitably." F. Dauway (SC) seconded. The motion passed.**

ICJ Mission, Vision, Values Statement Updates

- Chair Rader presented recommended updates to the current ICJ Mission, Vision, and Values Statements, which were proposed by the Ad Hoc Committee on Racial Justice.
- N. Dalton (VA) suggested that if the Commission's intent is to be all inclusive and equitable, the language proposed refer to "equity" rather than "racial justice." She also suggested that changes to the ICJ Mission, Vision, and Values Statements should be presented for vote by the full Commission.
- T. Hunt (CT), Racial Justice Ad Hoc Committee Co-Chair, replied that the recommended use of "racial justice" was intentional. She added that it is appropriate to specifically address racial justice because of the extensive evidence that people of color are disproportionately represented in the juvenile justice system. She added that the ad hoc committee reviewed statements from other agencies' statements, and found many now specifically address racial justice. B. Moore (MA), Racial Justice Ad Hoc Committee Co-Chair, added that the language was recommended by the full ad hoc committee. E. Lee, Jr. (NJ), member of the ad hoc committee, echoed the statements of the co-chairs.

- F. Dauway (SC), member of the ad hoc committee, commented that there is strong evidence that people of color are most directly impacted. Therefore, it is necessary to include the specific reference to “racial justice.” She stated that she opposed presenting the proposal to the full body and encouraged the Executive Committee to take prompt action.
- T. Hudrlik (MN) stated that she supported the proposed changes. She also expressed support for presenting the matter to the full body for a vote, and suggested that the Executive Committee recommend adoption.
- Director Underwood commented that the Executive Committee has the authority to act on behalf of the full body throughout the year, except regarding changes to ICJ Rules. However, she noted that there is precedent for presenting the issue to the full Commission, given that the full Commission voted to adopt the original Mission, Vision, and Values Statements. R. Masters, Legal Counsel, concurred.
- M. Farmer (CA) agreed that a recommendation should be made to full body and suggested ad hoc committee members speak in region meetings before the vote.
- **N. Dalton (VA) made a motion to present the Ad Hoc Committee for Racial Justice’s recommended changes to the ICJ Mission, Vision, and Values Statements to the full Commission for a vote with a recommendation for adoption. A. Connor (ID) seconded. F. Dauway (SC), B. Moore (MA), and D. Liedecke (TX) opposed. The motion passed.**

ICJ Nominations and Elections Process

- Chair Rader reported that to broaden the pool of applicants, while encouraging more diversity in ICJ leadership positions, the ICJ Ad Hoc Committee for Racial Justice has recommended a formal ICJ Nominations and Elections Process, as described in the document and video sent prior to the meeting.
- E. Lee, Jr. (NJ), Racial Justice Ad Hoc Committee member, presented the committee’s recommendation for the ICJ Nominations and Elections Process. He indicated that the recommendation was developed to:
 - Establish clearly defined procedures that promote diversity in leadership; and
 - Ensure voting members have advance knowledge of candidates and their qualifications.
- E. Lee, Jr. (NJ) highlighted the process that would mitigate the awkwardness of campaigning on site the week of the Annual Business Meeting (ABM), and outlined the process:
 - The nomination period would begin 60 days prior to the ABM.
 - A commissioner or full-time designee could nominate themselves or another commissioner or full-time designee.
 - Nominees would submit a statement of their interest and resume.
 - The ICJ National Office would collect all submissions and share with the full membership.
 - Regions would no longer be required to nominate candidates during region meetings at the ABM

- Nominations could still be made from the floor during the ABM general session.
- The nominations process would be the same for both officers and regional representatives.
- The process would also provide an opportunity for Commission members to indicate their interest in serving as an ICJ standing committee chair. The National Office would provide a list of interested persons to the newly-elected ICJ Commission chair, who is responsible for appointing all committee chairs.
- Chair Rader summarized the process and opened the floor for discussion.
- **B. Moore (MA) made a motion to adopt the ICJ Nominations and Elections Process as presented. N. Lawson (OH) seconded. The motion passed.**

National Office Report *by MaryLee Underwood, Executive Director*

State Updates

- Director Underwood provided the following updates.
 - Kansas - Former Commissioner Jeff Cowger retired. Hope Cooper has been appointed Designee for Kansas and her official Governor appointment as the ICJ Commissioner is anticipated to follow.
 - North Carolina - Traci Marchand was promoted within her state and her long-standing service as the ICJ Commissioner has ended. Stephen Horton, DCA, has been appointed as the new ICJ Commissioner.
 - Delaware - Christine Norris, DCA, has been appointed as Designee to Commissioner Francis “Mike” Casey and may vote in his absence.

National Office Update

- Warrant Notification Project
 - Director updated that she presented at SEARCH Symposium regarding ICJ and different considerations for juveniles. She reminded members to provide input regarding whether their states enter juvenile warrants into NCIC. ICAOS is moving forward with this project; however, ICJ is participating in a limited manner. More detailed analysis of the benefits and consequences of participation will be included in a future agenda.
- 2021 Annual Business Meeting (ABM) Agenda
 - Director Underwood reported that planning for the 2021 Annual Business Meeting is underway. National Office staff are meeting weekly with the virtual meeting consultant, M&IW and presenters are being confirmed. Director Underwood reviewed the list of topics and confirmed presenters.
 - Chair Rader presented the detailed agenda for vote.
 - **A. Connor (ID) made a motion to approve the 2021 Annual Business Meeting Agenda as presented. F. Dauway (SC) seconded. The motion passed.**
 - Director Underwood advised that a “save the date” email would be sent later in the day and registration will open in early August. The registration email will be sent direct to each state’s Compact office staff member directly from M&IW.

- Chair Rader stated that proclamations will be drafted honoring Traci Marchand and Jeff Cowger, who both previously served as ICJ Officers.

Compliance Committee Report *by Natalie Dalton (VA)*

- Compliance Committee Chair Dalton reported the Compliance Committee met July 1. The committee began discussing plans to reinstate Performance Measurement Assessments (PMA).
- Chair Dalton noted that it is not possible to conduct PMAs until after UNITY reporting features have been rolled out and active for a substantial period of time. Committee members provided input regarding what types of reports would be useful for compliance purposes. Their input will be shared with the UNITY Reporting and Data Visualization Team.
- The Compliance Committee discussed proposed changes to the PMA Standards Priority C: Compact Office Operations. The proposal included amending Standard C-02 to update “JIDS” to “UNITY,” and add information about the current Privacy Policy; and deleting Standards C-03 and C-04 due to changes in the Privacy Policy.
- **T. Hudrlik (MN) made a motion to approve the recommended changes to the PMA Standards Priority C: Compact Office Operations as presented. A. Connor (ID) seconded. The motion passed.**
- The Compliance Committee discussed when to reinstate the enforcement of rules. The consensus was that it is time to move forward with reinstating enforcement.
- The next and last meeting of the Compliance Committee prior to the ABM is August 17.

Information Technology Committee Report *by Anne Connor (ID)*

- Information Technology Committee Chair Connor reported that the Technology Committee met July 13 with a full agenda.
- The committee reviewed the fiscal impact of the proposed amendments to Rule 5-103 and Rule 8-101. This was the first request for quotes from the vendor for changes to UNITY. The quote was significantly higher than for changes to the previous system (JIDS).
- Chair Connor commented that when all changes to the system used by the Interstate Commission for Adult Offenders must be approved by the Commission at the annual business meeting, due the high cost of modifications to a custom-built system. She suggested that we should consider modifying the ICJ Information System Modification Policy to include similar requirements.
- A UNITY Enhancement Subcommittee has been formed to review the UNITY enhancement requests and making recommendations to the Technology Committee.
- The subcommittee is chaired by Technology Committee Vice Chair, Kellianne Torres (IA), and includes members of the original UNITY Business Analysis Team: Natalie Dalton (VA), Abbie Christian (NE), Holly Kassube (IL), Kelly Palmateer (NY), and Nita Wright (IN).
- The Technology Committee and Training Committee are collaborating to develop a survey regarding UNITY. The survey will soon be finalized by the Training Committee.

- The Technology Committee approved a new ICJ TSA Identification Form. The form may be used for both airline travel and ground transport for juveniles over 18 traveling without a Real ID or passport for proof of identification. The form has been sent to the Rules and the Executive Committees for review. Members have 30 days to respond.
- During the Technology Committee meeting, Jenny Adkins provided a demonstration of the new UNITY Help Center. On July 26, a new UNITY Help Center will be launched via Zendesk. SmartSheet will no longer be used to submit requests for support. Many will recognize Zendesk, as the platform was previously used for the JIDS Help Desk. Field staff UNITY users may submit help desk tickets within Zendesk and ICJ Compact offices may be copied.
- The Technology Committee will meet again in August and September due to extensive UNITY-related activities.

Rules Committee Report *by Tracy Hudrlik (MN)*

- Rules Committee Chair Hudrlik reported that the Rules Committee met July 7. Abbie Christian (NE) attended as a representative of the Technology Committee, and explained the justification for their proposed amendment to Rule 8-101.
- The Rules Committee retained its position not to recommend for adoption Rule 8-101, paragraph 1(b)(ii). However, did request a Technology Committee member join the Rules Committee to present their rule proposal during the Annual Business Meeting (ABM) rule proposals session slated for October 4.
- The Rules Committee will meet on August 4, when all proposals will be finalized and posted. The Public Hearing is scheduled for September 9. Rule amendments will be presented for approval on October 7 during the ABM General Session.

Ad Hoc Committee on Racial Justice Report *by Becki Moore (MA) & Tash Hunt (CT)*

- Co-Chair Moore reported that the ad committee met on June 22. The committee finalized the previously discussed ICJ Nominations and Elections Process proposal and approved for recommendation to the Executive Committee.
- Plans are underway for the training session during the ABM. The session is entitled “Finding a Way: Racial Equity through Procedural Justice.” Ad hoc committee members will share their work and discuss how to identify strategies for moving forward using the procedural justice framework.
- Co-Chair Hunt echoed how the members were excited to share their work, as well as, the opportunity to make an impact and be a part of the solution.
- The next meeting is July 27.

Legal Counsel Report *by Legal Counsel Rick Masters*

- R. Masters updated that he is in the final stages of preparing a legal White Paper regarding ICJ’s response regarding subpoenas of state personnel to provide testimony in another state. The document should be ready for review and approval at the next meeting.

Victims Representative *by Nataki Brown*

- Ex Officio Victims Representative N. Brown provided information related to victims that may be of interest to the ICJ:

- The Office of Victims of Crime (OVC) provides new, free support materials for child victims and witnesses of crime to educate them with their emotions and the legal process.
- July 30 is World Day Against Trafficking Awareness.
- The nomination period is now open for the National Foundation Service Award to recognize individuals or agencies for their work supporting victims.
- The term of the month is Novel Psychoactive Substances. This term is being used for new substances found in drugs and the current drug tests may not pick up this new substance.
- Literature reviews from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) suggested were: "Intersection of Juvenile Justice and Child Welfare Systems" and "Arts-Based Programs and Arts Therapies for At-Risk, Justice-Involved, and traumatized youths".
- Chair Rader added that next week is National Probation and Parole Week.

Old Business

Dues Assessment and Enforcement Policy #08-2009

- Chair Rader reminded the committee of their decision last month to defer the recalculation of ICJ Dues for one year. She presented proposed amendments to ICJ Administrative Policy #08-2009, to reflect the change.
- **N. Lawson (OH) made a motion to adopt the changes to the Dues Assessment and Enforcement Policy #08-2009 as presented. M. Farmer (CA) seconded. The motion passed.**

Balancing the ICJ Budget

- Treasurer Lawson provided an update regarding FY 2023 budget options. Since the last meeting, officers and the national office re-evaluated options for consideration.
- Treasurer Lawson acknowledged the fiscal responsibility of the Commission over the years and shared that the Commission has approximately \$1.9 million in the Vanguard reserve/investment accounts. When this long-term investment account was launched, one of the primary purposes was to ensure funds would be available for future technology development projects. However, nothing prohibits the use of invested funds for other purposes. He applauded the decision to postpone the reassessment of dues.
- Treasurer Lawson noted that there has never been an overall dues increase. However, operational costs have increased over time due to inflation. Also, the impact of the ICJ has also increased with a new data system, expanded and updated trainings, education materials, and new publications.
- Treasurer Lawson indicated that it is important to continue being fiscally responsible. He presented the following options for cost reductions in FY 2023, which would result in approximately \$50,700 in savings.
 - Reduce National Office space by 70%
 - Reduce ABM expenses:
 - Eliminate New Commissioners and Presenters Luncheons
 - Virtual ABM Docket Books

- Virtual ICJ Annual Reports and Bench Books
- Virtual platform for Rules Committee Meeting
- Video conferencing with Zoom, eliminating WebEx
- **N. Lawson (OH) made a motion to approve all the cost savings measures as presented. The motion died for a lack of a second.**
- Chair Rader presented each of the cost savings suggested above for discussion and vote independently.

Reduction in the ICJ National Office Space by 70%

- T. Hudrlik (MN) proposed completely closing the national office, noting the success of working as telecommuters.
- Director Underwood indicated that may be beneficial to maintain a small office space to use for meetings, onboarding and human resources functions, mail, storage, and a back-up work location. She stated that she supported the idea of eliminating the national office space early in the pandemic, but has since seen the benefits of maintaining some space. She noted that some leaders of organizations that have eliminated all office space have expressed regret.
- **A. Connor (ID) made a motion to reduce the ICJ National Office space by 70% leaving the minimum space. D. Liedecke (TX) seconded. The motion passed.**

Virtual Platform for the Rules Committee Meeting

- T. Hudrlik (MN), Rules Committee Chair, commented to the success this year's virtual rules comments review meeting noting that this year there were not a lot of rules requiring lengthy discussions. She suggested that the Executive Committee annual spring face-to-face meetings could also be conducted virtually.
- Chair Rader replied that the Executive Committee meeting involves strategic planning and team breakouts, which are more difficult to recreate in a virtual environment. M. Farmer (CA) agreed.
- A. Connor (ID) commented that face-to-face to virtual meetings is an item that can be re-visited annually depending on the need and the budget.
- **T. Hudrlik (MN) made a motion to use a virtual platform for the Extended Rules Committee Meeting (no face-to-face) as presented for FY23. D. Liedecke (TX) seconded. The motion passed.**

Annual Business Meeting

- Cut luncheons for New Commissioners/Speakers/Executive Committee
 - F. Dauway (SC) shared that the New Commissioner Luncheon was very helpful when she was new, and supported retaining the new Commissioner's Luncheon.

- T. Hudrlik (MN) suggested combining the new Commissioners, Executive Committee, and Speakers into one luncheon. Director Underwood replied that the speakers/panelists luncheon served a different purpose. It was an opportunity for panelists to get together and communicate prior to presenting together; however, the luncheon could be scaled back to not include all the Executive Committee members.
 - Use Virtual Docket Books rather than printed
 - T. Hudrlik (MN) and A. Connor (ID) supported moving away from a heavy docket book of printed materials.
 - **A. Connor (ID) made motion to move to the Virtual Docket Books. M. Farmer (CA) seconded. The motion passed.**
- Virtual ICJ Annual Reports and Bench Book
 - Chair Rader reported that the 2021 Annual Report could be printed if states preferred and move to virtual only in 2022.
 - A. Connor (ID) asked if the ICJ Bench Book could be made available on flash drives. Director Underwood replied the National Office has plenty of flash drives. However, she has read that some organizations are prohibiting the use of flash drives due to security risks. T. Hudrlik (MN), N. Lawson (OH), and M. Farmer (CA) shared that their states have placed limitations on the use of flash drives.
 - M. Farmer (CA) suggested providing a step-by-step version of the Bench Book like the ICJ Rules to allow the option of forwarding sections of the Bench Book rather than one large file. Director Underwood responded that she and Jenny Adkins are currently researching that option.
 - M. Farmer (CA) supported not printing the ICJ Annual Reports.
 - **T. Hudrlik (MN) made a motion to approve the cost savings measures of making the ICJ Annual Reports and Bench Books virtual. N. Dalton (VA) seconded. The motion passed.**
 - Director Underwood asked for feedback regarding using primarily electronic distribution in for the 2021 Annual Report, with printed copies being provided upon request. M. Farmer (CA) stated that he supported the option. Chair Rader asked if anyone opposed the proposed course of action, no one expressed opposition.
 - Zoom vs. WebEx for Video Conferencing
 - M. Farmer (CA) questioned the difference in the functionality. Director Underwood responded that the primary difference is how documents can be loaded and viewed. Participants have a little more control in WebEx than Zoon.
 - Chair Rader added that some states expressed concerns regarding the use of Zoom for the ABM last year, but those have been resolved.
 - **T. Hudrlik (MN) made a motion to adopt Zoom rather than WebEx for the video conference platform. D. Liedecke (TX) seconded. The motion passed.**

Use of Reserve Funds

- Director Underwood commented that, as Treasurer Lawson indicated earlier, the Commission has a very robust reserve/investment account that could be used for operational expenses. While the long-term investment reserve was initially set up to ensure the availability of funds for development of new technology, nothing prohibits the use of those funds for other purposes.
- Director Underwood reported that, since the last meeting, she consulted with other executive directors and learned they routinely use reserve funds for operational costs, especially when the accounts are growing at substantial rates. Authorizing the use of reserve funds in this manner would allow for allocation of additional funds in FY23 for enhancements to the UNITY system.
- **A. Connor (ID) made a motion to authorize the use of reserve funds to balance the budget. M. Farmer (CA) seconded. The motion passed.**

New Business

Plan to End the Suspension of Rules

- Chair Rader recalled previous discussions by the Executive Committee, other committees, and regions regarding ending suspension of the ICJ Rules. She noted that the Executive Committee last discussed the issue in February adding that significant changes have been made since then. Infections rates have dropped; vaccinations are widely available; and most state restrictions have been lifted. She suggested that the committee reconsider developing a plan to end the suspension to present for discussion next month.
- M. Farmer (CA) suggested that the plan could be for the suspension to end upon the conclusion of the 2021 ABM, and that the plan could be finalized at the August Executive Committee Meeting. A. Connor (ID) agreed.

Other New Business

- A. Connor (ID) requested discussion of conflicts between ICJ Rules regarding bail and several state constitutions be returned to the agenda. Chair Rader affirmed it remains on the list for discussion at a meeting soon.
- M. Farmer (CA) reported that his division will close in FY 23, as previously reported. Recommendations are now being considered regarding where to house the ICJ Office. The transition will occur in FY 22. The change will impact his status as designee, which would end prior to the ICJ 2022 ABM.
- Chair Rader expressed her dismay that Michael Farmer would no longer be the ICJ Designee for California.

Adjourn

- The next meeting is scheduled for August 19, 2021.
- **Chair Rader adjourned by meeting by acclamation at 2:10 p.m. ET.**