

INTERSTATE COMMISSION FOR JUVENILES EXECUTIVE COMMITTEE



Minutes

January 24, 2019

11:30 AM ET

WebEx

Committee Members in Attendance:

1. Anne Connor (ID), Chair
2. Natalie Dalton (VA), Vice Chair
3. Peter Sprengelmeyer (OR), Treasurer
4. Jacey Rader (NE), Compliance Committee Chair
5. Jedd Pelander (WA), Finance Committee Chair
6. Tony DeJesus (CA), Technology Committee Chair
7. Cathlyn Smith (TN), Training Committee Chair
8. Jeff Cowger (KS), Rules Committee Chair
9. Becki Moore (MA), East Region Representative
10. Charles Frieberg (SD), Midwest Region Representative
11. Traci Marchand (NC), South Region Representative
12. Dale Dodd (NM), West Region Representative
13. Trudy Gregorie, Ex-officio Victims Representative

Guests in Attendance:

1. Sherry Jones (MD), Commissioner

ICJ National Office Staff & Legal Counsel in Attendance:

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

Call to Order

Chair Connor (ID) called the meeting to order at 11:31 AM ET.

Roll Call

Executive Director Underwood called the roll and a quorum was established.

Agenda

- **N. Dalton (VA) made a motion to approve the agenda. T. Marchand (NC) seconded. The motion carried.**

Minutes

- **T. Marchand (NC) made a motion to approve the December 13, 2018 meeting minutes as amended. J. Rader (NE) seconded. The motion carried.**

Commission Chair Report

Chair Connor (ID) reported the following updates:

- The NCJFCJ released the Enhanced Juvenile Justice Guidelines: Improving Court Practices in Juvenile Justice Cases. The document has been updated to now include information regarding the ICJ. She encouraged the committee members to reach out to their state judicial systems to ensure they received the newly released guidelines.
- The Executive Committee Face-to-Face meeting will be held in Lexington, KY on March 27 and 28, 2019. The strategic planning session will be held on March 27, 2019 with dinner to follow that evening at Palmer's restaurant.

National Office Report

Executive Director Underwood reported the following updates:

- State Updates:
 - Commissioner Changes
 - **New Commissioners**
 - In Montana, Steve Ray has been appointed as the new Commissioner effective December 21, 2018. Jeff Christofferson will remain a voting designee.
 - In Rhode Island, Jessica Nash has been appointed the new Commissioner effective December 21, 2018. JoAnn Niksa is currently not a voting designee as her appointment was specific to the previous Commissioner.
 - **In Process**
 - In Idaho and Utah, the vacant positions have been filled, but no letters have been provided regarding the appointment of Commissioners.
 - In Idaho, Monty Prow has been confirmed as the Director of the Idaho Department of Juvenile Corrections.
 - In Utah, Neira Siaperas has been appointed as the Juvenile Court Administrator effective January 20, 2019.
 - **Vacancies**
 - In Arkansas the Commissioner position is currently vacant. Judy Miller is still serving as the state's voting designee.
 - In Washington, D.C., the Commissioner position is still vacant with no change in status since the December meeting.
 - Dues Update
 - All but three (3) states have paid their dues at this time. All are currently in process.
 - State Council Reports
 - These were due by January 1, 2019. Twenty-nine (29) states submitted reports on or before that date. To date a total of forty-six states have submitted reports. Three (3) reported that their states did not have a council and eight (8) reported that their state council did not meet in 2018. A reminder will be sent on January 30, 2019 to any states that have not submitted a report by that time.

- Requests for Rules Interpretations and Assistance with Dispute Resolutions
 - Maryland submitted a Rule Infraction Report that will be discussed today under New Business.
 - Wisconsin and Minnesota submitted a request for dispute resolution. Legal Counsel issued a Memorandum addressing the underlying legal issue.
 - Tennessee submitted a request for assistance with rule interpretation. Legal Counsel is currently drafting a Memorandum to address their request.
 - Vermont submitted a request for assistance to clarify that provisions of the compact referring to the “state” apply to the judges within the state. The Executive Director consulted with Legal Counsel and provided a copy of a previously drafted white paper.
- FY 18 Annual Report
 - Executive Director Underwood thanked Chair Connor (ID) and ICJ staff members who assisted in completion of this year’s Annual Report. Upon approval by the Executive Committee, the report will be printed, posted to the ICJ website, emailed to all members and seven (7) copies will be mailed out to each Commissioner.
 - **J. Rader (NE) made a motion to approve for publication the FY 18 Annual Report as presented. C. Frieberg (SD) seconded. The motion carried.**
- ABM Planning
 - Planning is underway for the 2020 ABM to be held in the East Region. RFPs were requested from forty-four (44) hotels in twenty-one (21) cities. Thirteen (13) hotels submitted proposals and twenty-one (21) hotels declined. E. Goode and L. Anderson with the National Office reviewed each proposal submitted and narrowed the responses to the top three (3) options of locations able to meet the meeting space and needs of the ICJ.
 - L. Anderson presented the top three locations; Caesars Atlantic City (NJ), DoubleTree Hilton Burlington (VT) and Crowne Plaza Stamford (CT); with key highlights of each that would impact the total budget estimate.
 - **N. Dalton (VA) made a motion to approve the first choice of DoubleTree Hilton Burlington (VT) and second choice Caesars Atlantic City (NJ) as possible locations for the 2020 Annual Business Meeting. T. DeJesus (CA) seconded. D. Dodd (NM) objected. The motion carried.**

Committee Reports

- Compliance Committee – Jacey Rader (NE)
 - Chair Rader (NE) reported that the committee met on January 3, 2019.

- The committee discussed rules proposals and conducted a review of the compliance policies and related rules (Rules 9-101, 9-102 and 9-103) to ensure more clarity in the process and that both the rules and policies are in line with each other.
 - The committee discussed several amendments to the Rule 900 series and voted to recommend the rule proposal to the Rules Committee for further review.
 - The committee is scheduled to meet again on February 7, 2019.
 - Chair Connor (ID) announced that the first 2019 PMA is currently underway.
- Finance Committee – Jedd Pelander (WA)
 - Chair Pelander (WA) reported that the committee met January 22, 2019.
 - The committee reviewed the FY 2019 budget and discussed a draft of an Accounting Policies and Procedures Manual as recommended during the FY 2018 audit.
 - The committee discussed amendments related to the hiring contract agreement review under *II – Distribution of Duties* and voted to recommend the amended document to the Executive Committee for review and approval.
 - **P. Sprengelmeyer (OR) made a motion to approve the Draft Accounting Policies and Procedures Manual as recommended by the Finance Committee. T. Marchand (NC) seconded. The motion carried.**
 - The committee is scheduled to meet again on April 23, 2019.
- Information Technology – Tony DeJesus (CA)
 - Chair DeJesus (CA) reported that the committee met on January 15, 2019.
 - The committee voted to move forward with the proposed JIDS enhancements to the User Management system and to table the Request for Supervision Workflow and the Travel Permit Testing Residence Workflow enhancements for later discussion to allow more focus on the development of the proposed new system.
 - Chair DeJesus (CA) announced that the new workflows for Juvenile Returns went into effect this month and that four (4) proposals had been received from three (3) vendors in response to the new data system RFP.
 - The first RFP Scoring Face-to-Face meeting is scheduled for next month.
 - The committee is scheduled to meet again on February 19, 2019.
- Rules Committee – Jeff Cowger (KS)
 - Chair Cowger (KS) reported the committee met on January 2, 2019.
 - The committee discussed the proposed rule amendments to Rule 7-104 submitted by the Executive Sub-Committee and the Rules Committee.
 - Chair Cowger (KS) asked Executive Director Underwood to provide a brief history of the rule proposals.
 - **C. Frieberg (SD) made a motion to withdraw the Executive Committee proposal and move forward with the proposal from the Rules Committee for Rule 7-104. C. Smith (TN) seconded. D. Dodd (NM) objected. The motion carried with one objection.**

- T. DeJesus (CA) and D. Dodd (NM) asked that the Rules Committee discuss amendments to their proposal to provide more detail about the types of written notifications acceptable under (3).
- Chair Cowger (KS) advised the committee will discuss further amendments to the language at their next meeting.
- Chair Connor (ID) announced that T. Hudrlik (ND) has agreed to serve as Vice Chair of the Rules Committee.
- Chair Cowger (KS) announced the upcoming Face to–Face meeting is scheduled for June 5, 2019 in Lexington, KY.
- The committee is scheduled to meet again next month.
- Training, Education & Public Relation Committee – Cathlyn Smith (TN)
 - Chair Smith (TN) reported that the committee met on January 14, 2019.
 - The committee discussed the survey results for the 2019 Annual Business Meeting training topics and began the collection of training scenarios.
 - The 2019 WebEx trainings are underway, in January there were nineteen (19) people scheduled for the upcoming training.
 - New Mexico presented an ICJ booth at their intrastate conference. A request for Tennessee to exhibit a booth and possible presentation at the TJCSA Conference has been received for August. Approval was received for ICJ attendance and presentation at the NCJFCJ Winter Conference. Chair Smith (TN) encouraged committee members to continue involvement at their intrastate conferences.
 - The next meeting is scheduled for February 21, 2019.
- Human Trafficking Ad Hoc Committee – Peter Sprengelmeyer (OR)
 - The committee met on January 8, 2019 and discussed the review and revision of the Human Trafficking Ad Hoc Committee mission and purpose statement.
 - The committee is continuing to review the Human Trafficking Matrix and areas of content for possible best practices regarding human trafficking and how ICJ interfaces.
 - The committee is scheduled to meet again on March 12, 2019.

Region Reports

- East Region – Becki Moore (MA)
 - Representative Moore (MA) reported that the East Region met on January 17, 2019. The primary discussion involved status updates on the four rules proposals that the committee recommended to the Rules Committee for review.
- Midwest Region – Chuck Frieberg (SD)
 - Representative Frieberg (SD) reported that the Midwest Region met on December 20, 2018. The primary discussion involved a Rules Proposal for amendment to Rule 6-102 and the related Advisory Opinion. The committee voted to recommend the rule proposal to the Rules Committee for review. The next region meeting is scheduled for February 14, 2019.

South Region – Traci Marchand (NC)

- Representative Marchand (NC) reported the South Region met on January 10, 2019. There are no Rules Proposals from the South Region

at this time. In Texas, D. Liedecke is continuing to collaborate with Dallas Fort Worth (DFW) Airport and George Bush Intercontinental (IAH) Airport as well as other agencies to re-establish and continue airport surveillance on their premises for ICJ. The next meeting is scheduled for April 9, 2019.

- West Region – Dale Dodd (NM)
 - Representative Dodd (NM) reported that the West Region was scheduled to meet on January 8, 2019 to discuss two rules proposals brought forward by the ID State Council. The meeting was cancelled as these proposals will be presented to the Rules Committee for consideration. The next meeting is to be held February 26, 2019.

Legal Counsel Report

- Rick Masters reported that he had two Advisory Opinions to be reviewed by the Executive Committee: (1) revision of Advisory Opinion 4-2018 regarding ICJ Rule 6-102 regarding the return of a juvenile when an adult warrant is pending and (2) Advisory Opinion 01-2019 regarding ICJ Rule 6-102 regarding whether in the absence of a warrant is a state authorized to hold a juvenile. A third request from WI has been received regarding the interpretation of the effect of the WI JiPS on the juvenile justice system with regard to the compact. R. Masters asked to defer this request to the next Executive Committee meeting.
- **C. Frieberg (SD) made a motion to adopt for publication Revised Advisory Opinion 4-2018. D. Dodd (NM) seconded. The motion carried.**
- **D. Dodd (NM) made a motion to adopt for publication Advisory Opinion 01-2019. J. Rader (NE) seconded. The motion carried.**

Victim's Representative

- Trudy Gregorie announced that January is National Slavery and Human Trafficking Prevention month. She recognized the work of the ICJ Human Trafficking Ad Hoc Committee and their emphasis on this issue.

Old Business

No Old Business to report.

New Business

- Chair Connor (ID) announced that Vice Chair N. Dalton (VA) would serve for the remainder of the meeting as *Chair pro tem*.
- N. Dalton (VA) asked that Executive Director Underwood provide a summary regarding a Rule Violation Report received by the National Office.
- Executive Director Underwood gave a summary of the Rule Violation Report received on December 28, 2018 from the state of Maryland regarding a case involving Maryland, California and Idaho. MD cited the violation of four rules regarding a case involving the transfer of a juvenile by federal authorities to CA after being sentenced to federal prison in MD. After review of the Rule Violation Report and additional documents, two primary issues were identified: (1) whether the compact

applies to the case and (2) the need for definition of the scope of the ICJ Mentoring Program.

- R. Masters of the Legal Counsel provided a Legal Memorandum to address whether *Rule 6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders*, applies to this case.
- N. Dalton (VA) opened the floor for discussion about the ICJ Mentoring Program scope.
- **T. Marchand (NC) made a motion to develop a protocol or Best Practices for the ICJ Mentoring Program. J. Pelander (WA) seconded. T. DeJesus (CA) and A. Connor (ID) abstained by recusal. The motion carried.**

Adjourn

- **J. Rader (NE) made a motion to adjourn. C. Frieberg (SD) seconded. The meeting was adjourned at 1:21 PM ET.**