

**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes

May 23, 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. Tony De Jesus (CA), Technology Committee Chair
6. Cathlyn Smith (TN), Training Committee Chair
7. Jeff Cowger (KS), Rules Committee Chair
8. Becki Moore (MA), East Region Representative
9. Charles Frieberg (SD), Midwest Region Representative
10. Traci Marchand (NC), South Region Representative
11. Dale Dodd (NM), West Region Representative
12. Trudy Gregorie, Ex-officio Victims' Representative

Committee Members not in Attendance:

1. Jedd Pelander (WA), Finance Committee Chair

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. Joe Johnson, Systems Project Manager
6. Rick Masters, Legal Counsel

Call to Order

Chair Connor (ID) called the meeting to order at 11:30 AM ET.

Roll Call

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

Agenda

T. De Jesus (CA) made a motion to approve the agenda. N. Dalton (VA) seconded. The motion carried.

Minutes

P. Sprengelmeyer (OR) made a motion to approve the April 25, 2019 meeting minutes as amended. C. Frieberg (SD) seconded. The motion carried.

Commission Chair Report – Anne Connor (ID)

Chair Connor (ID) provided updates on the following:

- **Welcome of New National Office Personnel**
 - Chair A. Connor (ID) welcomed Joe Johnson, the new Systems Project Manager, to the committee.
 - J. Johnson provided a brief introduction about his previous experience, knowledge and intended contributions to bring to the Commission especially regarding the work around the new data system.
- **Strategic Planning Update**
 - Chair Connor (ID) reported that the assigned teams had been working on their assigned strategic initiative and that draft materials had been provided to the committee members for review. She encouraged teams to continue to submit additional comments and suggestions before the next meeting at which time the revised draft of the Strategic Plan would be presented for review and discussion to the committee.

Executive Director Annual Review

- Chair A. Connor thanked the committee members for their comments and feedback and encouraged any members who had not submitted comment to do so as soon as possible. At the next meeting, the committee will discuss the Executive Director evaluation process, amendments to job responsibilities and moving the current description of the process from the Executive Committee Orientation Handbook to the Personnel Policies Manual.

National Office Report

Executive Director Underwood reported the following:

State Updates

- In Missouri, Jefferson City was impacted by severe weather. J. Hawkins (MO) reported that Jefferson City is closed to non-essential personnel at this time and that the MO ICJ Office is closed.
- For Utah, the Commission has reported that Raymundo Gallardo has been appointed as the Deputy Compact Administrator and is currently awaiting appointment as the state's designee by their state council.
- In Idaho, the position usually appointed as Commissioner has been filled, but no Commissioner appointment has been received. A letter from the Legal Counsel was mailed to Governor Brad Little on May 13, 2019. The National Office has not received an official appointment letter at this time.

TA and Requests for Interpretation of Rules

- A request was received from Michigan requesting a written opinion regarding whether the Compact requires a juvenile to return to the “Sending State” after the expiration of a travel permit and if the Juvenile Interstate Compact Act (JICA) prevents the “Sending State” from supervising a juvenile out of State when the “Receiving State” denies the request for supervision. An Interpretation of Rules Memorandum in response to these issues was provided. Executive Director Underwood also noted that the request was submitted by MI Commissioner Yapple, upon request of a local prosecutor. The prosecutor indicated that if the response was not consistent with his interpretation, he intended to seek judicial interpretation. The Memorandum noted that the prosecutor lacks standing to file an action seeking such interpretation.
- A request was received from Kentucky requesting an Advisory Opinion regarding whether a person subject to a juvenile warrant could be released on bond when he/she is considered an adult under the laws of the demanding and holding states based on the age of majority. A draft Advisory Opinion has been prepared for presentation to the Executive Committee by Legal Counsel.

National Office Updates

- TSA Speaker
 - A speaker from the TSA has been confirmed for the 2019 ABM. Stacy Sanders, Stakeholder Liaison/Customer Support Unit, from the Indianapolis International Airport will be taking part in the 2019 ABM panel discussion regarding airport, returns, and Real ID.
- FBI Follow-up
 - A follow-up meeting was held with the FBI CJIS Division on May 8, 2019 to continue the conversation and partnership regarding NCIC and the ICJ. A follow-up meeting is scheduled for June 4, 2019 to continue preparation of training materials and preparation for K. Lough’s (FBI CJIS Division) presentation on NCIC at the 2019 ABM.

Committee Reports

Compliance Committee – Jacey Rader (NE)

Compliance Policy Updates

- Chair Rader (NE) reported that the committee met on May 2, 2019. The committee discussed revisions to clarify the Compliance Policies *ICJ 2009-03: Guidelines for Compliance*, *ICJ 2009-02: Compliance Enforcement Investigation Process* and *ICJ 2009-01: Compliance Enforcement Investigation Allegation*. Chair J. Rader (NE) presented the amendments to each of these policies to the Executive Committee.
- N. Dalton (VA) requested to know who would be considered an eligible “investigator” in default cases.

- Chair J. Rader (NE) advised that in some cases sufficient evidence may be present by utilizing JIDS reporting and the committee can agree to not utilize an independent investigator. Individuals that would qualify to be an independent investigator would be former commissioners; and individuals with knowledge about the compact structure, but not currently connected to the state that is in default or the state who filed the complaint. It was noted that an independent investigator could be any neutral individual employed by ICJ or at the discretion of the Compliance Committee, contracted by the ICJ, and that current ICJ Commissioners are disqualified from acting as an independent investigator.
- **N. Dalton (VA) made a motion to approve the recommended amendments to ICJ 2009-01: Compliance Enforcement Investigation Allegation as presented. T. Marchand (NC) seconded. The motion carried.**
- **C. Frieberg (SD) made a motion to approve the recommended withdrawal of ICJ 2009-02: Compliance Enforcement Investigation Process as presented due to its incorporation into other ICJ Compliance Policies. C. Smith (TN) seconded. The motion carried.**
- P. Sprengelmeyer (OR) asked if an informal process would still be available as it has been in the past as a mechanism of dispute resolution.
- Executive Director Underwood clarified that ICJ 2009-01: Compliance Enforcement Investigation Allegation addresses allegations of default and that ICJ 2009-03: Guidelines for Compliance addresses request for dispute resolutions and interpretations of rules. These two policies are separate and provide distinct paths of action for allegations of default and dispute resolutions where allegations of default are not being made.
- The committee discussed the amended language of the policies and agreed that when these policies are presented at the 2019 ABM that an emphasis be placed on defining the separate distinct paths of each policy and encourage Commissioners to exhaust all avenues to resolve disputes before filing a formal complaint.
- **J. Cowger (KS) made a motion to approve the recommended amendments to ICJ 2009-03: Guidelines for Compliance as presented. T. De Jesus (CA) seconded. D. Dodd (NM) abstained. The motion carried.**

First and Second Quarter PMA Updates

- Chair Rader (NE) reported that all states from the First Quarter PMA that required Corrective Action Plans (CAPs) have been received, reviewed and approved or returned by the committee. The Second Quarter Performance Measurement Assessment (PMA) results will be reviewed at the next meeting. The committee also plans to review any Second Quarter CAPs received at that time, any revised First Quarter CAPs received and begin reviewing the Sanctioning Guidelines Policy at that meeting.

Next Meeting

- The committee is scheduled to meet again June 18, 2019.

Finance Committee – Jedd Pelander (WA)

- In absence of Chair Pelander (WA), A. Connor (ID) reported that the committee did not meet during the month of May.
- The committee is scheduled to meet again July 23, 2019.

Information Technology – Tony DeJesus (CA)

- Chair T. De Jesus (CA) reported the committee meet on May 21, 2019.

New Data Project Update

- Chair T. De Jesus (CA) reported that the revised Request for Proposals (RFP) for a new data system resulted in eight (8) proposals in response from vendors. However, two (2) proposals did not meet the criteria, so the RFP Team is currently reviewing the six (6) viable remaining proposals in preparation for their next face-to-face meeting on June 11-12, 2019 in Alexandria, VA. The National Office will conduct reference checks on each vendor before the face-to-face meeting.

JIDS Technical Guideline 01-2013: Expunging Juvenile Records

- Chair T. De Jesus (CA) reported that the committee reviewed and approved amended language to the JIDS Guideline 01-2013: Expunging Juvenile Records document.
- **C. Smith (TN) made a motion to adopt the Committee's recommended amendments as presented. D. Dodd (NM) seconded. The motion carried.**

FBI Collaboration Survey

- Chair T. De Jesus (CA) reported that the committee received a request from the FBI CJIS Division requesting more information regarding the use and processes surrounding the NCIC system by the different state ICJ offices. This information will assist both the FBI CJIS Division and the ICJ in creation of their new data system and training materials. The committee discussed the FBI Collaboration Survey and agreed to table the survey until the next meeting to continue to edit and make suggestions to clarify the survey questions.

Next Meeting

- The committee is scheduled to meet again on June 18, 2019.

**Chair A. Connor (ID) amended the Agenda moving the Legal Counsel Report to be reported earlier due to a scheduling conflict.*

Legal Counsel Report

Draft Advisory Opinion Request from Kentucky

- R. Masters presented a draft Legal Memorandum requested by the state of Kentucky regarding whether a person subject to a juvenile warrant could be released on bond when he/she is considered an adult under the laws of the demanding and holding states based on the age of majority.
- **D. Dodd (NM) made a motion to approve for adoption and publication Advisory Opinion 03-2019. P. Sprengelmeyer (OR) seconded. N. Dalton (VA) abstained. The motion carried.**

Revised White Paper: Temporary Secure Detention (JJDPa Update)

- R. Masters also presented the revised White Paper: Temporary Secure Detention which includes updated Juvenile Justice and Delinquency Prevention Act (JJDPa) information.
- **J. Rader (NE) made a motion to approve the revised White Paper: Temporary Secure Detention. C. Frieberg (SD) seconded. N. Dalton (VA) abstained. The motion carried.**

Rules Committee – Jeff Cowger (KS)

ABM Rules Presentation Update

- Chair J. Cowger (KS) reported the committee met on May 1, 2019. The committee discussed the 2019 ABM Rules Presentation. There are seventeen (17) proposals to present to the Commission this year. The proposals were assigned to four (4) committee members for presentation.

Thirty (30) Day Comment Period Update

- Chair J. Cowger (KS) reminded the committee that the thirty (30) day comment period ends May 31, 2019 and encouraged any comments to be submitted. To date, the National Office has received ten (10) comments.

Next Meeting

- The committee is scheduled to meet again on June 5, 2019 in Lexington, KY to review the comments, review the proposals and format them for presentation at the 2019 ABM.

Training, Education & Public Relation Committee – Cathlyn Smith (TN)

- Chair C. Smith (TN) reported the committee did not meet in May but provided the following updates:

2019 ABM Training

- The presenters continue to prepare scenarios and presentations for the 2019 ABM Tuesday training session. A TSA representative and a security transport representative have been confirmed for the panel discussion on Tuesday.

Trainings WebEx Part 1 and Part 2

- There were two (2) WebEx trainings for the month of May. Training I was presented on May 15, 2019 with twenty-one (21) participants. Training II was presented on May 16, 2019 with twenty (20) participants. The next trainings are scheduled for June 11, 2019 and June 25, 2019.

Conference

- The next conference is the CJJ Conference being held next month in Washington, D.C. E. Goode and C. Smith (TN) will be in attendance exhibiting the ICJ booth.

TTA Update

- Kentucky exhibited a booth and provided materials at a statewide judicial conference on April 29, 2019 in Cumberland, KY. A. Welch (KY) conducted two (2) workshops on ICJ. There were one hundred eighteen (118) attendees at the conference which included every Kentucky DJJ supervisor from detention centers, community, central office, training staff and commissioners.

Next Meeting

- The committee is scheduled to meet again on June 13, 2019.

Human Trafficking Ad Hoc Committee – Peter Sprengelmeyer (OR)

- Chair P. Sprengelmeyer (OR) reported that the committee met on May 14, 2019. The committee is working to finalize a “Key Concepts in Human Trafficking” resource document. The committee developed a Purpose Statement to set the framework for the FY20 Ad Hoc Committee to work towards a resource document for “Guidelines for State ICJOs Responding to Human Trafficking.”

Next Meeting

- The committee is scheduled to meet again on July 9, 2019.

Region Reports

East Region – Becki Moore (MA)

- Representative B. Moore (MA) reported that the East Region has not met recently. The committee plans to conduct roundtable discussions on topics such as gangs and human trafficking at the upcoming meeting scheduled for July 18, 2019.

Midwest Region – Chuck Frieberg (SD)

- Representative C. Frieberg (SD) reported that the Midwest Region has not met since the last Executive Committee meeting and is scheduled to meet on May 9; however, may be rescheduled to May 30, 2019. The committee plans to discuss strategies for ensuring ICJ juveniles are not improperly released in Juvenile Detention Alternatives Initiative (JDAI) jurisdictions.

South Region – Traci Marchand (NC)

- Representative T. Marchand (NC) reported the South Region has not met since the last Executive Committee meeting and is scheduled to meet on July 11, 2019.

West Region – Dale Dodd (NM)

- Representative Dodd (NM) reported that the West Region met on May 7, 2019. The committee was encouraged to submit their comments for the Rule Proposals before the end of the thirty (30) day comment period on May 31, 2019. The committee is scheduled to meet again on July 30, 2019.

Victims Representative Report – Trudy Gregorie

T. Gregorie reported there were no current updates to discuss.

Old Business**Mentoring Program Policy**

- Chair A. Connor (ID) requested C. Smith (TN) provide an update on the Mentoring Program Policy.
- Chair C. Smith (TN) presented a brief history of the Mentoring Program Policy and accompanying mentor/mentee application, which the Executive Committee assigned to the Training Committee in January of 2019. Chair C. Smith (TN) researched policies for mentoring programs operated by other organizations and presented a draft policy to the Training Committee for modification. The committee discussed the draft policy and made several suggestions that were incorporated, and then approved by the committee on April 18, 2019. The draft policy was presented to the Executive Committee at the April 25, 2019 committee meeting, where some members stated the draft policy was too formal and that a policy may not be necessary. The draft policy was tabled until the following Executive Committee meeting in May to allow time for further review, edits and suggestions.
- Chair C. Smith (TN) presented the suggested edits that had been submitted since the April 25, 2019 Executive Committee meeting and noted where those had been integrated into the draft Mentoring Program Policy. The floor was opened for further discussion.

- The committee discussed each of the suggested edits page by page. The committee discussed language regarding the expansion of eligibility to include DCAs and other ICJO staff. Chair Smith noted that leadership development is part of the current strategic plan initiatives and the plan under development. The role of the Executive Committee in the eligibility determination process was discussed, along with a modification to make mentor/mentee agreements optional.
- Chair A. Connor (ID) recommended that further discussion on the draft policy be tabled until the June meeting and that she, C. Smith (TN) and Executive Director Underwood continue to work to ensure all amendments are made to the Mentoring Program Policy and that all related forms are reviewed for consistency.

New Business

No New Business to report.

Adjourn

Chair A. Connor (ID) adjourned the meeting by acclamation at 1:45 PM ET.