

**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE SPECIAL MEETING**

Minutes

April 23, 2020, 3:00 PM ET

WebEx



Committee Members in Attendance:

1. Jacey Rader (NE) Chair
2. Jedd Pelander (WA) Vice Chair
3. Nate Lawson (OH) Treasurer, Finance Committee Chair
4. Anne Connor (ID) Immediate Past Chair
5. Natalie Dalton (VA) Compliance Committee Chair
6. Tony De Jesus (CA) Technology Committee Chair
7. Tracy Hudrlik (MN) Rules Committee Chair
8. Becki Moore (MA) East Region Representative
9. Chuck Frieberg (SD) Midwest Region Representative
10. Traci Marchand (NC) South Region Representative
11. Dale Dodd (NM) West Region Representative

Committee Members Not in Attendance:

1. Agnes Denson (FL) Training Committee Chair
2. Trudy Gregorie, Ex officio Victims Representative

ICJ National Office Staff & Legal Counsel in Attendance:

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

Call to Order

Chair J. Rader (NE) called the meeting to order at 3:09 PM ET.

Roll Call

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

Rule Suspension

A. Connor (ID) made a motion to suspend the rules regarding meeting notices due to the national state of emergency. J. Pelander (WA) seconded. The motion carried.

Agenda

N. Lawson (OH) made a motion to approve the agenda. D. Dodd (NM) seconded. The motion carried.

Discussion

- **Suspension of Enforcement of Rules Pursuant to Rule 2-108**
 - Chair J. Rader (NE) reported that the Commission voted to adopt Rule 2-108: Emergency Suspension of Enforcement, using the Commission's emergency rule promulgation procedure. The Commission also voted to enact newly adopted Rule 2-108 due to the current COVID-19 emergency.
 - The floor was open for discussion regarding taking action to suspend enforcement of the ICJ Rules or parts thereof.
 - The committee discussed two options for action, one general suspension of enforcement that applies to most of the ICJ Rules, or a more detailed action of specific sections in each Rule for which enforcement would be suspended. The committee agreed that the more general action would be the most effective approach, given that the full Commission did not discuss suspensions with specificity.
 - Since the Commission expressed concern primarily related to enforcement of timelines, the committee decided to made specific reference to timelines.
 - D. Dodd (NM) reported that a state in the West Region had voiced concerns regarding delayed returns and the potential for juveniles to remain in detention facilities for an undetermined amount of time. The state asked whether there was a target time frame that would trigger compliance action and whether a state Governor had the authority to restrict adherence to the Compact timelines.
 - Chair J. Rader (NE) advised that communication and collaboration between the states and the provisions outlined in Section II of Rule 2-108: Emergency Suspension of Enforcement should address that concern.
 - R. Masters, Legal Counsel, advised that the ICJ Rules and timelines supersede state law. He also advised that any state found purposely misusing Rule 2-108: Emergency Suspension of Enforcement could be held accountable.
 - **T. Hudrlik (MN) made a motion to suspend enforcement of ICJ rules in: Sections 400: Transfer of Supervision, 500: Supervision in Receiving State, 600: Voluntary and Non-voluntary Return of Juveniles and Runaways, 700: Additional Return Requirements for Sections 500 and 600, and 800: Travel permits; including but not limited to provisions regarding timelines. A. Connor (ID) seconded. The motion carried.**
- **Other Commission Responses to COVID-19**
 - Executive Director Underwood reported that two additional resources had been developed to provide support and guidance to the Commission members during the COVID-19 emergency, including:
 - “Monday Meet-ups” is a forum for ICJ Office staff to come together every Monday at 4:00 p.m. ET to discuss solutions for

difficult and complex issues. The first “Monday Meet-up” was conducted April 20, 2020 with fifty-one (51) attendees.

- T. De Jesus (CA) reported that the feedback received was very positive and suggested that, as states begin to lift restrictions, these meet-ups will allow states to communicate and share information.
- “Successful Strategies” will be a section included in the Weekly Updates. This section will feature success stories for difficult returns and transfers of supervision while under state restrictions. There is an e-form available on the ICJ website that can be submitted to ensure all appropriate information regarding these cases are reflected. Currently A. Connor (ID), J. Pelander (WA), and J. Rader (NE) have submitted scenarios.
 - Chair J. Rader (NE) encouraged each Executive Committee member to submit at least one scenario each.

Adjourn

- **N. Lawson (OH) made a motion to adjourn. Chair J. Rader (NE) adjourned the meeting at 3:29 PM ET.**