

**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes

July 16, 2020, 12:00 PM ET

WebEx



Committee Members in Attendance:

1. Jacey Rader (NE), Chair
2. Nate Lawson (OH), Treasurer and Finance Committee Chair
3. Anne Connor (ID), Immediate Past Chair
4. Natalie Dalton (VA), Compliance Committee Chair
5. Tony De Jesus (CA), Technology Committee Chair
6. Summer Foxworth (CO), Training 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. Trudy Gregorie, Ex Officio Victims Representative

Committee Members Not in Attendance:

1. Jedd Pelander (WA), Vice Chair
2. Dale Dodd (NM), West Region Representative

Guests in Attendance:

1. Nina Belli (OR), West Region Alternate Representative
2. Julie Hawkins (MO), Juvenile/Adult Issues Ad Hoc Committee Chair

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 12:00 PM ET.

Roll Call

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

Agenda

C. Frieberg (SD) made a motion to approve the agenda. T. Hudrlik (MN) seconded. The motion carried.

Minutes

T. Hudrlik (MN) made a motion to approve the June 18, 2020 meeting minutes. N. Lawson (OH) seconded. The motion carried.

Commission Chair Report

○ Updates to Executive Committee

- Chair J. Rader (NE) welcomed guests J. Hawkins (MO) of the Juvenile/Adult Issues Ad Hoc Committee and N. Belli (OR), West Region Alternate Representative to the meeting.
- Chair J. Rader (NE) thanked S. Foxworth (CO) for agreeing to serve as the Training Committee Chair for the remainder of the year following the resignation of Agnes Denson (FL) from the Chair position.
- T. De Jesus (CA) announced he has taken another job and will resign from the ICJ Executive Committee and Technology Committee effective July 17, 2020. Commission Chair J. Rader (NE) will facilitate Technology Committee meetings for the remainder of the year.

○ Leadership Award Nominations

- Chair J. Rader (NE) reported that the Leadership Award nomination period would be held from July 22 to August 21, 2020. The Executive Committee will vote by survey during the last week of August when all nominations have been received.
- Chair J. Rader (NE) briefly discussed the criteria for an individual to be nominated for the Leadership Award.

○ COVID-19 Updates

- Chair J. Rader (NE) requested updates from committee members on how their states were currently handling the pandemic.
- Committee members provided updates on governors' orders, field office staff restrictions, issued furloughs and layoffs, telecommuting and hybrid work schedules. Several members reported their states had begun reopening phases, some of which saw increases in the number of confirmed illnesses leading to the reinforcement of restrictions on travel, face-to-face interactions, and working in offices.
- Chair J. Rader (NE) reminded committee members to complete the survey regarding the number of hours each member invested into the Commission's response to the pandemic.

National Office Report

Executive Director Underwood provided reports on behalf of the National Office.

○ State Updates

- Appointments/Vacancies
 - Mike Farmer (CA) is awaiting formal appointment as the California DCA. No information has been provided regarding whether he will be appointed as a designee for voting.
- Dues
 - FY 2021 dues have been received from 14 states.
- Requests for TTA/Legal Interpretation
 - Three (3) requests for legal interpretation or assistance have been received since the last committee meeting.

- **National Office Updates**
 - **Transition to Virtual Offices**
 - Executive Director M. Underwood presented a proposal to transition the National Office to a fully virtual office. She reported that the current lease expires March 2021. Employees have demonstrated strong productivity since transitioning to telecommuting in March 2020 due to the COVID-19 pandemic. Transitioning to virtual offices would result in a monthly cost savings of approximately \$3,000 per month, primarily through elimination of rent. She also indicated that the current space and related costs are shared with the Interstate Commission for Adult Offender Supervision, which recently decided to transition to virtual offices. The floor was opened for discussion.
 - Committee members discussed whether it is premature to make a permanent transition; how staff accountability would be ensured; modification of personnel policies; and concerns regarding onboarding new employees. Executive Director Underwood shared strategies currently in place for ensuring staff accountability, such as daily check-in meetings each morning and quarterly staff retreats. She also displayed the terms of the telecommuting agreement and indicated that many terms of the agreement would be incorporated into personnel policies if the transition is pursued.
 - **T. Marchand (NC) made a motion to table further discussion regarding changes to the ICJ National Office until the August Executive Committee meeting. S. Foxworth (CO) seconded. The motion carried.**
 - **ABM Planning**
 - Executive Director M. Underwood asked if the committee had any questions or concerns regarding the Pre-event Communication sent on July 14, 2020 regarding the technical preparations required for the 2020 ICJ Virtual Annual Business Meeting. No questions were brought forth.
 - The National Office staff and MI&W are continuing development of the registration website. Registration will be open on August 3, 2020.
 - An email will be sent following the meeting containing a template for Region and Committee Reports. Reports should be by September 1, 2020 for publication in the ABM Docket Book.
 - **UNITY Project**
 - Steps to prepare for the transition are underway. More than 75% of states have completed and submitted their data regarding closed cases.

- The next step will be collecting state information for UNITY Profile Information. A link will be sent out to each Compact Office in the future to gather field data and reconcile to ensure accuracy. User profiles will not be transferred from JIDS to UNITY because much of that data is out dated and inaccurate.
- Rollout of the UNITY system is scheduled for December 2020. The rollout will not be mandatory statewide. Each state will have the option to choose between a statewide rollout or access for specific offices and staff only.
- More than 60 ICJ personnel have completed the UNITY Orientation Training.
- **FY 2020 Wrap Up**
 - National Office staff continue to work on the FY 2020 Annual Report and preparations for the FY 2020 audit that is scheduled to be conducted in August 2020.

Committee Reports

Juvenile/Adult Ad Hoc Committee – Julie Hawkins (MO)

J. Hawkins (MO) provided the following summary of the Ad Hoc Committee's activities during FY 20.

- The Committee recommended revision of Advisory Opinion 04-2018, regarding whether a person should be returned as a juvenile when being detained as a juvenile in the holding state, but has an outstanding warrant from an adult court in the home state. The Advisory Opinion was revised on April 14, 2020.
- The committee brought forth four (4) Rule Proposal Recommendations to include; ICJ Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking, Rule 6-103: Non-Voluntary Return of Runaways and/or Accused Status Offenders, Rule 7-104: Warrants, and Rule 7-105: Detention and Hearing on Failure to Return. The four (4) recommendations are currently pending review by the Rules Committee.
- The committee made revisions to the Age Matrix to provide clarification and consistency in the ages of the populations being captured. All Commission members have been encouraged to update the new Age Matrix during region meetings.
- The committee developed a Best Practice: Bail/Bond for Juveniles Held on Adult Warrants to promote timely resolutions and effective communications to expedite the process and minimize the period of time this population of individuals is held in detention. J. Hawkins (MO) presented the Best Practice to the committee with a recommendation to change the title to Best Practice: Bail/Bond for Adult Charges in the Holding State with Juvenile Warrants in the Demanding State. The floor was opened for discussion.
- **A. Connor (ID) made a motion to table discussion of the Best Practice: Bail/Bond for Juveniles Held on Adult Warrants until the August Executive Committee meeting to allow further review. C. Frieberg (SD) seconded. The motion carried.**

Compliance Committee – Natalie Dalton (VA)

N. Dalton (VA) reported the committee last met on July 2, 2020, and provided the following updates:

- The committee reviewed and discussed recent Quarterly Progress Reports (QPR). There are currently four (4) states who remain on a Corrective Action Plans (CAP).
- The committee voted to suspend the Performance Measurement Assessments (PMA) for the year 2021 as a result of the pandemic and transition to the new UNITY system.
- The committee is scheduled to meet August 6, 2020 to discuss the recommendations and feedback from each region regarding the draft Sanctioning Guidelines Policy.

Information Technology Committee – Tony De Jesus (CA)

T. De Jesus (CA) reported the committee met on July 14, 2020 and provided the following updates:

- The second 30-day comment and review period by the Rules and Executive Committees regarding the forms updates has been completed.
- A. Christian (NE) provided an update on the UNITY data system progress.
- The committee discussed the potential need to access historical data from the JIDS system after UNITY goes live. The committee is developing a draft Historical Data Policy to address how JIDS records can be accessed and for what period of time they should be accessible.

Rules Committee – Tracy Hudrlik (MN)

T. Hudrlik (MN) reported the committee last met on July 7, 2020 and provided the following updates:

- The committee continued their systematic review of the ICJ Rules, including recommendations proposed by committees.
- The virtual Public Hearing regarding *ICJ Rule 2-108 Emergency Suspension of Enforcement* is scheduled to be conducted on July 28, 2020 at 2:00 pm ET.

Training, Education & Public Relations Committee – Summer Foxworth (CO)

S. Foxworth (CO) reported the committee last met on June 25, 2020, and provided the following updates:

- J. Johnson provided an update on UNITY Training and the UNITY transition timeline. He addressed several committee members questions regarding the transition of JIDS data and potential retention methods.
- Three (3) Training Committee members are working in collaboration with the UNITY Training Team and Executive Committee members provided an update on the development of five (5) “ICJ in Action” courses utilizing the new learning management platform.
- The Instructor-led Part I and Part II Trainings had 791 attendees for FY2020.
- Six (6) mentors have been enrolled in the Mentoring Program. There is currently one (1) mentorship in progress.

- The committee discussed future trainings to include Part I and Part II instructor-led courses and the continued development of the UNITY Go Live, ICJ in Action OnDemand courses, and the Annual Business Meeting training courses.
- The committee has met all currently assigned strategic plan action steps to date.

Region Reports

East Region – Becki Moore (MA)

Representative B. Moore (MA) reported that the East Region last met on June 30, 2020 and provided the following updates:

- The region discussed Executive Committee updates, UNITY system updates, Age Matrix updates, state updates, and training initiatives.
- Sanctioning Guidelines Policy and Committee Guidelines Policy videos were presented to the region members for review and discussion.
- Executive Director M. Underwood provided an ABM planning update.

Midwest Region – Chuck Frieberg (SD)

Representative C. Frieberg (SD) reported that the Midwest Region last met on July 9, 2020 and provided the following updates:

- The region discussed Executive Committee updates, UNITY system updates, Age Matrix updates, state updates, and training initiatives.
- Sanctioning Guidelines Policy and Committee Guidelines Policy videos were discussed. The region forwarded several comments regarding the Sanctioning Guidelines Policy to the Compliance Committee for review and consideration.
- The next region meeting is scheduled for September 30, 2020.

South Region – Traci Marchand (NC)

Representative T. Marchand (NC) reported that the South Region last met on July 8, 2020 and provided the following updates:

- The region discussed Executive Committee updates, UNITY system updates, Age Matrix updates, state updates, and training initiatives.
- Sanctioning Guidelines Policy and Committee Guidelines Policy videos were discussed. The region forwarded comments regarding the Sanctioning Guidelines Policy to the Compliance Committee for review and consideration.
- The region discussed updating the State Restrictions on the ICJ website as well as the intent of Rule 2-108: Emergency Suspension of Enforcement and the importance of communication between states during this time.

West Region – Nina Belli (OR)

Alternate Representative N. Belli (OR) reported that the West Region last met on July 15, 2020 and provided the following updates:

- The region discussed Executive Committee updates, UNITY system updates, Age Matrix updates, state updates, and training initiatives.

- Sanctioning Guidelines Policy and Committee Guidelines Policy videos were discussed. The region forwarded comments regarding the Sanctioning Guidelines Policy to the Compliance Committee for review and consideration.
- The region discussed updating the State Restrictions on the ICJ website.

Legal Counsel Report

R. Masters reported the following activities since the last Executive Committee Meeting.

- The state of California requested an interpretation of the ICJ Rules regarding a juvenile being held pursuant to a warrant and if the juvenile could be released per a California Supreme Court COVID Order. ICJ supersedes the state court order. This case highlights a potential need for an advisory opinion or other guidance to clarify the difference in suspension of the rules versus suspension of enforcement of the rules as intended in *ICJ Rule 2-108: Emergency Suspension of Enforcement*. Committee members were encouraged to provide any feedback and suggestions regarding whether additional guidance is needed to Executive Director M. Underwood for Legal Counsel consideration.
- The state of Vermont requested an Advisory Opinion regarding payment for mental health care of a juvenile detained following a failed ICPC placement. Due to the complexity of this case, the draft Advisory Opinion is still under review and discussion was deferred to the next Executive Committee Meeting. Committee members were encouraged to provide any feedback and suggestions regarding the Advisory Opinion to Executive Director M. Underwood for Legal Counsel's consideration.

Victims' Representative Report – Trudy Gregorie

T. Gregorie reported that collaboration with the Department of Juvenile Justice Office for Victims of Crime Training and Technical Assistance Center and the National Institute of Corrections in the development of a directory of individual state programs available to assist with juvenile offenders as well as a directory of available resources for juvenile victims is continuing. A draft of the directories has been developed and is being finalized at this time. The directory is expected to be presented at the upcoming Executive Committee meeting.

Old Business

- **Racial Justice Initiatives**
 - Chair J. Rader (NE) reported that 17 individuals had signed up to participate in the Leadership Exchange Series. Due to some conflicts in the proposed meeting dates and times, a survey will be sent out to determine more opportune dates and times.
 - The formation of the related Ad Hoc Committee will occur after the ABM, when other Committees are being developed and after the Leadership Exchange Series has commenced.

- Executive Director M. Underwood reported that the initial collaborative meeting of executive directors from justice system-related associations throughout the U.S. was hosted by the American Probation and Parole Association (APPA) on July 8, 2020. A second meeting is scheduled for next month.
- Chair J. Rader (NE) turned the floor over to T. Marchand (NC) to share feedback she had received from others regarding the Racial Justice Initiatives.
 - T. Marchand (NC) reported that members of the South Region and others have expressed concern regarding the manner the initiatives were brought forth. She expressed that some members felt that they were not provided the opportunity to provide feedback and input in the development of the initiatives.
 - A. Connor (ID) agreed with the concerns presented by T. Marchand (NC).
 - N. Dalton (VA) reported that members had voiced concern with the presentation and tone of the initiatives. They were concerned it appeared that an issue had been identified in the Commission and a formalized plan had been put in place to address the issue.
 - B. Moore (MA) suggested that a racial equity tool be utilized to ensure the Commission does not unknowingly perpetuate a racist ideology. She stressed the need to educate individuals on how to build an anti-racist culture.
 - T. De Jesus (CA) suggested that additional input be gathered via a survey of members and reviewed at a future Executive Committee meeting.
 - Chair J. Rader (NE) agreed that a survey should be created and added that this will garner additional input through the Ad Hoc Committee, which would review our policies, rules, protocols and data taking into account the perception of treatment and fairness. She advised the committee members that she appreciated their feedback and that it will impact the processes of initiatives in the future.
 - Chair J. Rader (NE) encouraged members to reflect on feedback and suggestions for further discussion at the next committee meeting. She asked that the developed survey be reviewed and discussed during the next meeting.

New Business

There was no New Business to discuss.

Adjourn

- **N. Dalton (VA) made a motion to adjourn. N. Lawson (OH) seconded. Chair J. Rader (NE) adjourned the meeting at 2:12 PM ET.**

