

**INTERSTATE COMMISSION FOR JUVENILES  
EXECUTIVE COMMITTEE**

**Minutes**

**August 20, 2020, 12:00 PM ET**

**WebEx**



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**Committee Members in Attendance:**

1. Jacey Rader (NE), Chair
2. Jedd Pelander (WA), Vice Chair
3. Anne Connor (ID), Immediate Past Chair
4. Natalie Dalton (VA), Compliance Committee Chair
5. Summer Foxworth (CO), Training Committee Chair
6. Tracy Hudrlik (MN), Rules Committee Chair
7. Becki Moore (MA), East Region Representative
8. Chuck Frieberg (SD), Midwest Region Representative
9. Traci Marchand (NC), South Region Representative
10. Dale Dodd (NM), West Region Representative
11. Trudy Gregorie, Ex Officio Victims Representative

**Committee Members Not in Attendance:**

1. Nate Lawson (OH), Treasurer and Finance Committee Chair

**Guests in Attendance:**

1. 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**

**A. Connor (ID) made a motion to approve the agenda. T. Hudrlik (MN) seconded. The motion carried.**

**Minutes**

**C. Frieberg (SD) made a motion to approve the July 16, 2020 meeting minutes. A. Connor (ID) seconded. The motion carried.**

## **Commission Chair Report**

- **Committee Guidelines Policy**
  - Chair J. Rader (NE) presented the draft ICJ Policy 03-2013: Committee Guidelines to the committee with the revision suggested by the West Region that the requirement for posting committee agendas ten (10) days in advance not be stricken from the policy.
  - **J. Pelander (WA) made a motion to approve the draft ICJ Policy 03-2013: Committee Guidelines as presented. D. Dodd (NM) seconded. The motion carried.**
- **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.
  - Chair J. Rader (NE) briefly discussed the criteria for an individual to be nominated for the Leadership Award.
  - The committee discussed whether to inform the nominees prior to the Annual Business Meeting (ABM) and came to a consensus to continue the practice of not informing nominees.

## **National Office Report**

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

- **UNITY Update**
  - Development Update
    - Executive Director M. Underwood reported that the Business Analysis Team has completed the Travel, Returns, and Transfer of Supervision case architecture, and is now detailing events that occur within such cases. The team is also entering the audit phase, a field by field review of the system, and will soon begin the migration phase.
    - The Reporting Team reconvened August 19, 2020 to begin review of the core functionality.
  - Training Update
    - The first module of a series of pre-go-live trainings, "Introduction to UNITY," has been introduced and completed by approximately 70% of state ICJ office staff throughout the nation.
    - The Training Team is currently working to develop five (5) "ICJ in Action" courses.
  - Roll-Out Plan
    - Each state has been asked to identify a UNITY Coordinator that will be a point of contact between the state and the national office during the UNITY roll-out. A brief overview of the responsibilities of the UNITY Coordinator was provided. A webinar for the UNITY Coordinators is scheduled for August 26, 2020 to discuss roll-out plans, Pre-ABM Region Meetings, ABM training sessions, and the State Personnel Directory Profile Request that will assist development of user profiles.

- There will be three (3) different types of roll-out plans available to each state; Full, Limited, and State ICJ Only. The deadline for each state to decide a roll-out plan is September 10, 2020.
  - Starting September 2, 2020, “Office Hours” will be conducted at 1:00 pm EST each Wednesday to discuss questions and updates about the roll-out for UNITY Coordinators. Later, other ICJO staff and field users will be invited to participate.
  - A “State Directory Data Request” link will be sent out to each UNITY Coordinator to begin gathering field data to reconcile and ensure User Profile accuracy.
  - 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.
- **Pre-ABM Region Meetings**
    - Executive Director M. Underwood reported that each region would have a dedicated agenda to discuss the UNITY transition and roll-out as well as the draft *ICJ Policy 01-2020: Access to Historical Data*. These region meetings will be hosted on the same platform being utilized for the ABM allowing members the opportunity to test access and use of the technology prior to the ABM.
    - A reminder for the rehearsal dates and times for Region Representatives, Officers, and the National Office Staff were provided.
  - **ABM Planning**
    - Executive Director M. Underwood reported that registration opened for Commissioners, Speakers, and National Office Staff on August 3, 2020. Additional staff invitations for registration were sent on August 17, 2020. Eighty-six attendees have registered, including forty-two Commissioners/Designees.
    - Region Representatives and Committee Chairs were reminded that the deadline for reports for publication in the ABM Docket Book is September 1, 2020.
    - A reminder for the rehearsal and pre-recording dates and times of the ABM Training Day and General Session were provided.

## **Committee Reports**

### **Compliance Committee – Natalie Dalton (VA)**

N. Dalton (VA) reported the committee last met on August 6, 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 discussed the recommendations and feedback from each region regarding the draft Sanctioning Guidelines Policy and made amendments. The draft policy was sent back out to the Commission for final review and feedback with a deadline of August 28, 2020. Any additional feedback will be discussed at the next committee meeting.

### **Finance Committee – Executive Director MaryLee Underwood**

*Executive Director M. Underwood reported on behalf of Chair N. Lawson (OH).*

Executive Director M. Underwood reported the committee last met on August 13, 2020, and provided the following updates:

- The Commission completed FY20 with a balanced budget. Expenditures were reduced during the year due to canceled face-to-face meetings due to the COVID-19 pandemic and careful management of the UNITY system development resulting in a significant reduction in the cash reserves/investments utilized.
- The Commission's long-term investment accounts grew by 0.88% in FY 2020. The fund saw a decline in stock market returns during the early months of 2020, due to the pandemic. However, the market has stabilized. The end of the fiscal year balance is \$1,652,812, which is approximately \$24,000 more than at the same time last year.
- Thirty-two of the fifty-two states have paid their dues. Of those that have not paid, five (5) states have different fiscal years and are not yet due. Reminders will be sent during the first part of September 2020 to any states that have not paid their dues at that time.

### **Information Technology Committee – Commission Chair Jacey Rader (NE)**

Commission Chair J. Rader (NE) reported the committee met on August 11, 2020 and provided the following updates:

- The committee discussed draft *ICJ Policy 01-2020: Access to Historical Data* that addresses how JIDS records can be accessed and for what period of time they should be accessible.
- A JIDS Data Policy survey was conducted, with sixteen (16) participants from fifteen (15) states responding. Of respondents, 19% indicated they would rely solely on JIDS for ICJ case information and 31% indicated they would need to create a back-up system.
- Based on the results from the survey, a proposal was requested from InStream that would allow ICJ offices to maintain continued access to the JIDS system for one year after the date of retirement. During this time, states could access documents to create a back-up system, if needed.
- Commission Chair J. Rader (NE) presented draft *ICJ Policy 01-2020: Access to Historical Data* to the committee and highlighted the key portions of the policy to include:
  - State ICJ Offices will have access to JIDS for data retrieval purposes for a period of one (1) year after the retirement of JIDS.
  - State ICJ Office access will be limited to viewing and exporting juvenile files, documents, system reports, and compliance reports.
  - State ICJ Office users will be prohibited from adding new users, adding new juvenile files, generating forms, uploading documents, or initiating new workflow assignments.
  - Upon the retirement of JIDS, all field officer and supervisor JIDS accounts will be deactivated.
  - One year after the retirement of JIDS, data from JIDS will be provided to state ICJ Offices upon receipt of a Historical Data Request.

- Data available to states after 1 year from the retirement of JIDS includes:
  1. Juvenile File Details, including the juvenile’s demographic information, case type, and states involved in the case;
  2. ICJ Forms, including e-forms and scanned PDFs.
- National Office will maintain an archive of historical juvenile information and case documents from JIDS for 5 years after the retirement of JIDS.
- Requests from adjudicating states to expunge juvenile files from JIDS shall follow the JIDS Expungement Guidelines 01-2013.
- Implementation will require engaging a contract with InStream to maintain the system as described with a cost of approximately \$17,000.00 for the first year.
- The floor was opened for committee discussion.
  - The committee discussed maintenance costs after the initial year and methods of educating states that do not have a backup system of the parameters and timeline that data will be available to complete a backup system.
  - The committee came to a consensus to send a correspondence with the draft ICJ Policy 01-2020: Access to Historical Data to all Commissioners and State UNITY Coordinators for review and feedback before the next Executive Committee meeting. The committee also suggested the addition of the draft policy to the Pre-ABM Region Meeting agendas for furtherer discussion.
- The Technology Committee approved posted three separate PDF versions of the ICJ Form IX on the Commission’s website: Form IX: Quarterly Progress Report, Form IX: Violation Report, or Form IX: Absconder Report. This will be most consistent with how the forms will be generated when produced by UNITY.

**Rules Committee – Tracy Hudrlik (MN)**

T. Hudrlik (MN) reported the committee last met on August 18, 2020 and provided the following updates:

- The committee continued their systematic review of the ICJ Rules, including recommendations proposed by committees.
- The committee agreed to extend their meetings from one (1) hour to an hour and a half to ensure the completion of the systematic review by the end of the calendar year.

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

S. Foxworth (CO) reported the committee had not met since the last Executive Committee meeting, and provided the following updates:

- The mentorship between AK and HI has been completed. Communications will remain open to accommodate any additional assistance as needed.
- During August, 120 attendees completed the instructor-led ICJ Rules Part 1 training, and 112 attendees completed the Part 2 training. Part 1 and Part 2 are scheduled to be offered again in September 2020.

- The UNITY Training Team continues development of five (5) “ICJ in Action” courses that will roll-out with UNITY in December 2020.

### **Legal Counsel Report**

R. Masters reported the following update since the last Executive Committee Meeting:

- R. Masters presented draft Advisory Opinion 02-2020 regarding which state is financially responsible for payment of costs for the juvenile’s emergency psychiatric hospitalization when a dependent juvenile was voluntarily placed in another state pursuant to the ICPC, then committed an alleged offense that resulted in disruption of the placement and temporary detention of the juvenile, to the committee. The floor was opened for discussion.
- A. Connor (ID) expressed concern that advisory opinion should be reserved for cases that occur frequently and suggested that an advisory opinion based on the case discussed could cause confusion. T. Marchand (NC) suggested publishing the guidance as a Legal Memorandum, rather than an advisory opinion.
- **A. Connor (ID) made a motion that the proposed draft Advisory Opinion 02-2020 be published as a Legal Memorandum. T. Marchand (NC) seconded. The motion carried.**

### **Victims’ Representative Report – Trudy Gregorie**

No report provided.

### **Old Business**

- **National Office Lease Proposal**
  - Executive Director M. Underwood presented a proposal to enter into a one (1) year lease agreement with the option to renew with the current landlord. The floor was open for discussion.
  - The committee discussed the fiscal projection in comparison to the current lease, the need to reconfigure office space and telecommunications contracts, and the ability to maintain focus on UNITY and new On Demand training development.
  - T. Hudrlik (MN) asked if the proposal to work virtually as presented at the previous meeting was preferred by the Executive Director and what amendments would be required in the Personnel Policies to transition to a fully virtual office.
  - Executive Director Underwood indicated that there were advantages to either proposal, and that no amendments to Personnel Policies would be required at this time if the Committee elects to renew the lease. If the Committee elects to transition to a virtual office, then the Personnel Policies would need to be amended to reflect clauses currently set forth in telecommuting agreements.
  - **A. Connor (ID) made a motion to approve the proposal to enter into a one (1) year lease with the option to renew at the current National Office location. D. Dodd (NM) seconded. The motion carried.**

- **Juvenile/Adult Ad Hoc Committee – Julie Hawkins (MO)**
  - J. Hawkins (MO) presented the draft *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 approve the *Best Practice: Bail/Bond for Adult Charges in the Holding State with Juvenile Warrants in the Demanding State* for publication. S. Foxworth (CO) seconded. The motion carried.**
  
- **Racial Justice Initiatives**
  - Leadership Exchange Series
    - Chair J. Rader (NE) reported that the Leadership Exchange Series will kick off on August 25, 2020. It will consist of twelve (12) one and a half hour sessions led by Hasan Davis. Sessions will focus on Leadership Development, with focus on racial equity. Nineteen (19) individuals will participate, representing states from throughout the nation.
    - Chair J. Rader (NE) reported that the series will be focused on the development of five (5) core components for results-based leaders and provided a brief overview of those components.
  - Commission Race Data
    - Executive Director M. Underwood discussed racial representation within the Commission and presented estimated statistical data reflecting the Commissions current leadership diversity in comparison with the base line U.S. population analysis. The 2020-2022 Strategic Plan includes several action items under the Leadership Development initiative to ensure sufficient diversity is reflected within the Commission and its emerging leaders.
  - Survey
    - Chair J. Rader (NE) presented the draft Racial Justice Survey developed in collaboration with H. Davis in response to the committee’s suggestion at the previous meeting. The draft was emailed to committee members prior to the meeting for review and feedback. Suggestions received were incorporated into the draft being presented. Two (2) questions were raised that need further committee discussion:
      1. Does “people” include families?
      2. Does the survey need to address individual professional experiences or just what the Commission would like to focus on?

The floor was open for committee discussion.
    - The committee came to a consensus that adding additional language in the opening to clarify that the focus of the survey is for a member’s own professional experiences as a member of the Commission would address the questions raised.

- The committee discussed the roles and responsibilities of the Ad Hoc Committee to be constituted after the ABM; whether the survey should include more open-ended questions; concerns that by-laws may limit eligibility for leadership roles, and how the survey should be distributed to ensure the responses provide an accurate perspective.
    - S. Foxworth (CO) suggested vetting the survey to the members of the Leadership Exchange Series citing the diversity of the participants. The committee also discussed that the ad-hoc subcommittee may want to send this out as they get started.
    - The committee members agreed, however requested additional time to submit feedback and edits, in writing, to ensure the questions appropriately reflected the intent of the survey.
    - Chair J. Rader (NE) asked that any feedback or suggestions be sent to her so that the survey could be provided to either the Leadership Exchange Series participants or the ad hoc subcommittee for review and next steps.
  - **New Business**
    - **Executive Committee Handbook**
      - Chair J. Rader (NE) reported that the draft Executive Committee Handbook had been amended to include the suggestions from committee members and would be presented for discussion and adoption at the next committee meeting.
      - A. Connor (ID) noted that the section of a previous Orientation Manual regarding availability of national office staff members' personnel appraisals to the Executive Committee was no longer included. She noted that the Executive Committee is responsible for determining whether cost of living adjustments (COLA) are granted and asked if it has been moved to the Personnel Policies Manual.
      - Executive Director M. Underwood advised she would further review the issue prior to the next meeting.
    - **Commission Response to Covid-19**
      - Chair J. Rader (NE) asked the committee to consider whether further guidance should be provided to the Commission to address the difference in suspension of enforcement versus suspension of the rules, and, if so, whether it be addressed in an Advisory Opinion or another form of guidance.
      - The committee agreed that further clarification and guidance may be needed regarding the difference.
      - **A. Connor (ID) made a motion to request on behalf of all states that a Legal Memorandum be issued regarding the difference between suspension of enforcement versus suspension of the rules. J. Pelander (WA) seconded. The motion carried.**



- Chair J. Rader (NE) asked the committee to provide feedback regarding criteria for pre-emptive action or conditions that would need to apply to make an objective decision to terminate the current implementation of ICJ Rule 2-108: Emergency Suspension of Enforcement for discussion at the next committee meeting.
- Members were encouraged to update the COVID-19 Restrictions for their state on the Commission website and include who within their state authorized the restrictions.

### **Adjourn**

- **A. Connor (ID) made a motion to adjourn. D. Dodd (NM) seconded. Chair J. Rader (NE) adjourned the meeting by acclamation at 2:43 PM ET.**