

**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes

September 17, 2020, 12:00 PM ET

WebEx



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. Nate Lawson (OH), Treasurer and Finance 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. Dale Dodd (NM), West Region Representative
12. Trudy Gregorie, Ex Officio Victims Representative

Guests in Attendance:

1. A.J. Sharpe, Hicks and Associates, CPAs

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 quorum was established.

Agenda

A. Connor (ID) made a motion to approve the agenda. N. Lawson (OH) seconded. The motion carried.

Minutes

C. Frieberg (SD) made a motion to approve the August 20, 2020 meeting minutes. A. Connor (ID) seconded. The motion carried.

Commission Chair Report

○ Leadership Exchange Series

- Chair J. Rader (NE) reported the Leadership Exchange series first meeting was held August 25, 2020 with 17 participants. The group discussed the Results Based Leadership Model, Person-Role-System Framework. The next meeting will focus on Myers Briggs Personality types and their impact upon communication and leadership.
- Several participants of the series shared positive experiences of the first meeting.
- A. Connor (ID) asked how the Commission would respond to any potential or perceived lack of equity reported during the series.
- Chair J. Rader (NE) responded that such issues could be addressed collaboratively by the Executive Committee and the Ad Hoc Committee.

○ Preparations for 2020 Annual Business Meeting (ABM)

- Chair J. Rader (NE) reported that currently 130 attendees have registered for the 2020 ABM.
- Chair J. Rader (NE) reported that the practice meetings began last week to assist participants with use of the technology.
- T. Marchand (NC) and N. Dalton (VA) reported that their state IT departments expressed security concerns with Zoom and that approval of the platform may not be granted by their states.
- Executive Director M. Underwood indicated the national office staff and consultants would follow up and attempt to resolve concerns.

Fiscal Year 2020 Audit Report

A.J. Sharpe presented the draft report of the independent audit conducted by Hicks and Associates, CPAs. He reported that findings included an unmodified opinion, and explained that means no significant concerns were identified. There were no recommendations made by the auditors for improved policies and procedures. He indicated that the Commission experienced minor losses in its investment accounts, but noted that losses were less substantial than experienced by many investors due to careful fund management.

- **T. Hudrlik (MN) made a motion to approve the draft audit report. J. Pelander (WA) seconded the motion. The motion carried.**

National Office Report

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

○ State Updates

- **Dues**
 - Regarding FY2021 dues, 42 states had paid. Five (5) states are currently overdue. Delinquency notices will be sent via certified mail and email in early October. The remaining states are not overdue because of their fiscal year alignment.

- Technical Assistance
 - The National Office has provided technical assistance to Louisiana to address concerns that were brought to the attention of the National Office. Noting that LA has experienced a major cyberattack, COVID-19, and multiple natural disasters, the Commissioner assigned additional resources to ensure concerns are addressed. Within two weeks, global assignments were significantly reduced. The National Office will continue to provide technical assistance as needed.
- National Office Structure Change
 - ICJ and ICAOS have reached an agreement that ICJ will purchase some furniture and equipment from ICAOS. Work to separate accounts for web-based solutions is underway. This will result in some additional costs that could require modifications to specific line items in the budget.
- Training Update
 - In September, 251 attendees participated in instructor-led Rules Part 1 and Part 2 training. No additional trainings are scheduled until after the Annual Business Meeting. During that time the UNITY Training Team will continue development of the On Demand “ICJ in Action” courses, which will be rolled out when the UNITY system goes live. Work to transition current ICJ On Demand courses and webinars to the Talent LMS system is on schedule for completion in November 2020.
- UNITY Update
 - Training
 - Two types of On Demand trainings will be offered. The first will be preparatory training offered to all ICJOs, JPOs, and JPSs prior to UNITY go live. The first course is currently available and additional courses will continue to roll-out in the coming months. The second training type will be the on-going training available after UNITY goes live.
 - Implementation
 - Roll-out is currently in progress. State UNITY Coordinators have been appointed for all states and have begun selecting their state roll-out models and development of their state personnel directory of UNITY users.
 - The weekly “Office Hours” meetings have begun for the State UNITY Coordinators to provide updates and address any questions.
 - The ABM UNITY training session will focus on the transition process.

- Some states had expressed concerns regarding the December 2020 “Go Live” date, especially considering the impact of COVID-19 and overlap with winter holidays and vacations. Members were asked to discuss whether the “go live” date should be extended.
- The committee discussed concerns about the making the transition in December, including furloughs and layoffs related to COVID-19, the need for additional time to complete internal policy changes and IT changes, the impacts of multiple natural disasters, limited staff during the holiday season, and ensuring adequate time for training to ensure a smooth transition.
- The committee also discussed some negative impacts of extending the date, including cost of a contract extension with InStream to keep JIDS operating, amendments to the materials and presentation for the upcoming Pre-Region ABM meetings, and the potential impact that members and users may lose confidence in the system and transition plan.
- Executive Director M. Underwood advised that the cost of a contract extension with InStream was within the projected budget for the UNITY development project.
- **N. Dalton (VA) made a motion to establish February 2021 as the target date for UNITY “go live”. T. Marchand (NC) seconded. T. Hudrlik (MN) and C. Frieberg (SD) opposed. The motion carried.**

Legal Counsel Report

Chair J. Rader announced that R. Masters had requested that his report be presented out of order due to a scheduling conflict. R. Masters reported the following update since the last Executive Committee Meeting:

- **Executive Committee Handbook**
 - R. Masters addressed questions raised by A. Connor (ID) during the last meeting regarding language in a previous draft that indicated copies of national office employee evaluations were provided to the executive committee. The matter was tabled at the previous meeting to allow time for additional review.
 - R. Masters advised that Article III of the Compact places the responsibility for employee supervision on the executive director, and employee evaluations are protected by privacy laws.

- A. Connor (ID) indicated that information about staff salary increases is important for the executive committee to fulfill its fiduciary duty to ensure that agency funds are appropriately spent, noting that annual increases are based on the longevity plan previously adopted by the Commission. She also indicated that executive committee members should be involved with preparing the executive director's annual evaluation. T. Marchand (NC) noted there have been similar discussions in previous years.
- Executive Director M. Underwood noted that *ICJ Personnel Policies* describe the processes used to conduct evaluations of employees and the executive director. As currently established, the process for evaluation of the executive director includes gathering input from and final review by the Executive Committee. Information regarding salary increases is provided each year as part of the budget proposal, which involves both the Finance and Executive Committees.
- M. Underwood suggested adding references to the relevant sections of the *ICJ Personnel Policies* to the *Executive Committee Handbook*.
- Chair J. Rader (NE) suggested adding a statement to the *Executive Committee Handbook* indicating that a summary of salary increases will be provided to the chair.
- A. Connor (ID) requested the topic be tabled.
- Chair J. Rader indicated that she would work with the national office to draft amendments to be presented at the next meeting.
- Legal Memorandum Distinguishing Between Suspension of ICJ Rules and Suspension of Enforcement
 - R. Masters presented draft Legal Memorandum Distinguishing Between Suspension of ICJ Rules and Suspension of Enforcement to the committee for discussion.
 - **A. Connor (ID) made a motion that the draft Legal Memorandum Distinguishing Between Suspension of ICJ Rules and Suspension of Enforcement be approved for publication. T. Marchand (NC) seconded. The motion carried.**

Committee Reports

Compliance Committee – Natalie Dalton (VA)

N. Dalton (VA) reported the committee last met on September 10, 2020, and provided the following updates:

- One (1) state who remain on a Corrective Action Plan (CAP). Their final Quarterly Progress Report (QPR) is due October 1, 2020.
- The draft Policy 02-2017: Sanctioning Guidelines adopted by the Compliance Committee was presented to the committee for review. She noted that the draft was presented to all regions, and suggested changes were incorporated.
 - **A. Connor (ID) made a motion to approve the revision of ICJ Policy 02-2017: Sanctioning Guidelines for publishing. T. Marchand seconded. The motion carried.**

Victims' Representative Report – Trudy Gregorie

T. Gregorie reported that a draft directory of individual state programs available to assist juvenile offenders, as well as a directory of available resources for juvenile victims, is awaiting approval by the National Institute of Corrections.

Old Business

- **Commission Response to COVID-19**
 - 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*.
 - The committee discussed potential criteria, including: less than one quarter or one half of states remain under a state of emergency order, or when 35 states have ended restrictions on face-to-face contact with juveniles and families.
 - Committee members discussed concerns regarding differences between restrictions from counties, regions and states as a whole; who authorizes restrictions (Governor, Mayor, Department, etc.); and the impact of natural disasters also affecting daily operations.
 - The committee agreed to table the topic for further discussion. Members suggested further discussion be held during region meetings and that states be reminded to update their state restrictions on the website during the Annual Business Meeting.
- **Historical Documents Access Policy**
 - Chair J. Rader (NE) presented the revised *ICJ Policy 01-2020: Access to Historical Data* which included amendments received from region members, commissioners, and UNITY Coordinators to the committee for review.
 - In response to questions, Systems Project Manager J. Johnson advised edits could not be made in JIDS after the transition to UNITY. Optimum Technology and the national office staff will work collaboratively to address any future technological changes that could impact the JIDS historical data system, as well as UNITY.
 - **T. Marchand (NC) made a motion to adopt *ICJ Policy 01-2020: Access to Historical Data* with the amendment of the “go-live” date of UNITY to February 2021. N. Dalton (VA) seconded. The motion carried.**

New Business

- **Fiscal Year 2020 Annual Report**
 - Chair J. Rader (NE) presented the Fiscal Year 2020 Annual Report to the committee for review and provided an overview of included material.
 - **T. Hudrlik (MN) made a motion to approve the Fiscal Year 2020 Annual Report for publication with the amendment to the “go-live” date of UNITY to February 2021. C. Frieberg (SD) seconded. The motion carried.**

Adjourn

**A. Connor (ID) made a motion to adjourn. T. Marchand (NC) seconded.
Chair J. Rader (NE) adjourned the meeting by acclamation at 2:29 PM ET.**