

**INTERSTATE COMMISSION FOR JUVENILES
EXECUTIVE COMMITTEE**

Minutes

December 19, 2019, 12:00 PM ET

WebEx



Committee Members in Attendance:

1. Jacey Rader (NE) Chair
2. Cathlyn Smith (TN) Vice Chair
3. Jedd Pelander (WA) Treasurer
4. Anne Connor (ID) Immediate Past Chair
5. Natalie Dalton (VA) Compliance Committee Chair
6. Nate Lawson (OH) Finance Committee Chair
7. Tony De Jesus (CA) Technology Committee Chair
8. Becki Moore (MA) East Region Representative
9. Charles Frieberg (SD) Midwest Region Representative

Committee Members Not in Attendance:

1. Agnes Denson (FL) Training Committee Chair
2. Tracy Hudrlik (MN) Rules Committee Chair
3. Traci Marchand (NC) South Region Representative
4. Dale Dodd (NM) West Region 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. Joe Johnson, Systems Project Manager
6. Rick Masters, Legal Counsel

Call to Order

Chair J. Rader (NE) called the meeting to order at 12:01 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. C. Frieberg (SD) seconded. The motion carried.

Minutes

T. De Jesus (CA) made a motion to approve the November 21, 2019 meeting minutes. A. Connor (ID) seconded. The motion carried.

Commission Chair Report

- **Committee Guidelines Policy Development**
 - Chair J. Rader (NE) noted that Strategic Plan Initiative 2B-4 states that “the Executive Committee will review the Committee Guidelines Policy and consider including role of vice-chair, attendance policy, and term limits.” She opened the floor for discussion of expectations for attendance at committee meetings.
 - The committee discussed the purpose of the policy, appropriate expectations, how and when to calculate, and response to low attendance. Suggestions included: attendance at 70% of meetings; chairs should be notified of attendance rates mid-year; members should advise leadership in advance if they cannot be present.
 - Chair J. Rader (NE) opened the floor for discussion regarding term limits.
 - The committee discussed the possibility of establishing term limits, including advantages and disadvantages. The committee discussed how term limits would impact efforts to promote new leadership and maintain institutional knowledge. Committee reached consensus that term limits should be added for committee chair positions, but not for membership.
 - Suggestions will be incorporated into the Committee Guidelines Policy to be reviewed again at a future meeting.
- **Commission Vice Chair Responsibilities**
 - Chair J. Rader (NE) noted that she met with Vice Chair C. Smith (TN) to discuss roles and duties. She suggested that Vice Chair Smith serve as the ICJ Ex Officio at the 2020 ICAOS Annual Business Meeting.
 - **T. De Jesus (CA) made a motion to approve Vice Chair C. Smith (TN) as the ICJ Ex Officio at the 2020 ICAOS Annual Business Meeting and recommend to the Commission that bylaws or other documents be amended to reflect this role for future Vice Chairs. A. Connor (ID) seconded. The motion carried.**
 - Chair J. Rader (NE) reported that Vice Chair C. Smith (TN) will lead Strategic Plan Initiatives 2B-5 to plan a Committee Fair at the 2020 Annual Business Meeting and 2C-3 to develop an Orientation for New Committee Chairs and Region Representatives.

National Office Report

- Executive Director Underwood reported that the National Office staff had been updating resources in preparation for the Amended Rules set to take effect March 1, 2020. This includes trainings (both live and On Demand), the Commission website, White Papers, Advisory Opinions, Forms and other Commission publications.

- A review was conducted on all twenty-nine (29) currently published Advisory Opinions. Of those twenty-nine (29), six (6) required non-substantive changes. These six (6) Advisory Opinions are 01-2010, 03-2011, 02-2012, 03-2012, 01-2018 and 02-2019. Language and citation modifications were approved by the Legal Counsel that did not change the analysis or outcome of the publications. These were provided to the committee for review.
- **A. Connor (ID) made a motion to approve amendments to Advisory Opinions 01-2010, 03-2011, 02-2012, 03-2012, 01-2018 and 02-2019 as presented to be effective March 1, 2020. N. Dalton (VA) seconded. The motion carried.**
- Two White Papers that required non-substantive changes. Language and citation modifications were approved by Legal Counsel. There were no changes to the analysis or outcome of either publication.
- **A. Connor (ID) made a motion to approve the amendments to the two White Papers as presented, to be effective March 1, 2020. J. Pelander (WA) seconded. The motion carried.**
- Executive Director Underwood explained the procedure on how changes to forms are requested and processed per ICJ Policy 01-2014 Forms Responsibility. This procedure will be used for not only the forms changes related to the Rules Amendments but also forms changes related to the UNITY system development in January 2020. Members with questions or concerns are encouraged to contact the National Office.
- Members were reminded that the State Council Reports and Conflict of Interest Forms are due January 31, 2020.
- The National Office will be closed December 24, 2019 through January 2, 2020. Staff will continue to check emails and respond to emergencies and help desk requests.

Committee Reports

Compliance Committee – Natalie Dalton (VA)

Chair N. Dalton (VA) reported the committee met on December 12, 2019 and provided the following updates:

- The committee reviewed two (2) draft versions of the ICJ Policy 02-2017: Sanctioning Guidelines. Draft Version 1 outlined a more prescriptive approach and Draft Version 2 outlined a more subjective approach to sanctioning guidelines in regards to compliance. The committee decided to table the draft ICJ Policy 02-2017: Sanctioning Guidelines to allow for further review and drafting by a work group.
- The committee discussed concerns regarding posting Compliance Committee meeting minutes to the Commission website that contain sensitive, state-specific information. The committee agreed to recommend to the Executive Committee that the Compliance Committee meeting minutes be removed from the Commission website and note that they are available upon request.

- **A. Connor (ID) made a motion to approve the Compliance Committee's recommendation to remove the Compliance Committee Minutes from the Commission website and note that they are available upon request to the National Office. C. Frieberg (SD) seconded. The motion carried.**
- The Group Four Performance Measurement Assessments have been completed. Twelve (12) states were assessed with an overall compliance score of 93%. Preliminary reports suggest three (3) states are required to submit a corrective action plan (CAP) or request for amendment of their report by January 8, 2020. The committee will discuss and review those CAPs at their upcoming meeting.

Finance Committee – Nate Lawson (OH)

N. Lawson (OH) reported the committee had not met since the last Executive Committee Meeting. Future agenda items will include a review of the Travel Reimbursement Policy and Dues Enforcement Policy to clarify some areas for transparency.

Information Technology Committee – Tony De Jesus (CA)

T. De Jesus (CA) reported that the committee met on December 10, 2019 and provided the following updates:

- The team's first objective was to review the Travel Permit/Residential Facility Workflow and its related individual data elements. That objective has been completed and a draft workflow has been prepared. The team is currently working on objective two, the Transfer of Supervision data elements as they relate to juvenile files, case file levels, and all related forms. The team is currently reviewing all forms for consistency and working on the layout and design of the system.
- Pursuant to the Forms Responsibility Policy, the Technology Committee approved changes to forms to comply with recent changes to the Rules to reflect the change of "judge" to "court" throughout the Rules. On each form with a signature line for "Judge," the phrase "Judge or Similar Court Authority" was substituted. As required by policy, the Rules and Executive Committees were notified of the revisions on December 19, 2019, and have 30 days to object to the changes on the basis that they do not comply with the Rules. If no objections are received, the changes will take effect on March 1, 2020, at the same time as the changes to the Rules.
- The committee approved a draft of the ICJ Identification Form be forwarded to the UNITY Business Analysis Team for review and incorporation into the UNITY System.
- The committee voted to defer action on two optional forms and any future optional forms submitted for consideration during development of the UNITY project. No new forms will be considered for incorporation into the JIDS system.
- J. Johnson reported that the National Office was recently advised that Microsoft will be ending support for Microsoft Server 2008 on January 14, 2020. This is the server that JIDS runs on in the Amazon Web Service (AWS). This means that after January 14, 2020, Microsoft will not provide

security updates to protect the server that hosts JIDS, which means it will be at risk of attack by ransomware. The National Office consulted with InStream to identify three (3) possible options. The committee made a motion to recommend to the Executive Committee that ICJ pays to extend the support of Microsoft Server 2008 in Amazon Web Service (AWS) for approval. The total cost would be approximately \$26,190.

- The Executive Committee discussed the options as well as the potential financial impact for each option. Executive Director Underwood noted that ICJ spent less than the amount budgeted to maintain JIDS for the last two (2) years, and that those funds could still be accessed to cover the additional cost. She also indicated plans to negotiate other related costs.
- **A. Connor (ID) made a motion to approve the Technology Committee's recommendation regarding the update to the AWS server for continued support for JIDS. N. Lawson (OH) seconded. The motion carried.**

Rules Committee – Tracy Hudrlik (MN)

T. Hudrlik (MN) was unavailable to attend the meeting. Chair Rader reported that the Committee had not met since the last Executive Committee meeting.

Training, Education & Public Relations Committee – Agnes Denson (FL)

In the absence of A. Denson (FL), Chair J. Rader (NE) reported that the committee met on December 17, 2019 and provided the following updates:

- The Rule Amendments Training registration is open. The dates scheduled are February 13 and February 19 at 2:00 pm ET.
- The committee completed a testing of the Resources Survey that will be released to the Commission for action between the dates of January 3-31, 2020.
- Executive Director Underwood will be presenting information regarding ICJ at the Council of Juvenile Justice Administrators (CJJA) Winter Meeting in January 2020.
- J. Adkins from the National Office will be attending the New Mexico Children's Law Institute in Albuquerque, NM to assist Commissioner D. Dodd (NM) with the ICJ exhibit booth.
- A TTA request was received from the Idaho ICJ State Council for assistance with their December 12, 2019 meeting. The request was processed and the meeting was conducted via WebEx.
- A TTA request was received by the Nebraska ICJ office for assistance with an intra-state ICJ Rule Amendments Training. The request was processed and the training has been set for February 20 via WebEx.
- Returning trainers have reviewed and updated the PowerPoint training presentation Part I and Part II and will begin in March 2020.

Region Reports

East Region – Becki Moore (MA)

Representative B. Moore (MA) reported the East Region last met on October 30, 2019 and provided the following updates:

- The region discussed issues and best practices for managing status offenders as part of their strategies round table discussion. The region plans to discuss how to manage gang involvement and gang affiliation at their next meeting. Members also discussed state updates, state training initiatives and staff updates.
- The region members also discussed the ICJ Transition/Succession Plan template and have been asked to have them completed by February 2020.

Midwest Region – Chuck Frieberg (SD)

Representative C. Frieberg (SD) reported that the Midwest Region had not met since the last Executive Committee Meeting.

South Region – Traci Marchand (NC)

Representative T. Marchand (NC) was unavailable to attend the meeting. Chair Rader reported the Region had not met since the last Executive Committee meeting.

West Region – Dale Dodd (NM)

Representative D. Dodd (NM) was unavailable to attend the meeting. Chair Rader reported the Region had not met since the last Executive Committee meeting.

Legal Counsel Report

R. Masters reported that a White Paper was requested providing an analysis of terms under the compact addressing the difference between a transfer of supervision case and a transfer of jurisdiction. The draft is in progress.

Victims' Representative Report – Trudy Gregorie

T. Gregorie was unavailable to attend the meeting and provide an update at this time.

Old Business

Investment Planning

- Chair J. Rader (NE) requested Executive Director Underwood provide an update regarding information and proposals for a financial advisor in regard to the Commissions long-term investment funds.
- Executive Director Underwood reported that she has received three proposals for assistance in managing the Commission's long-term investment funds. All vendors requested information regarding the Commission's Investment and Spending Policy Statement. To date, the Commission has not adopted such policies, as related to long-term investments.
- **J. Pelander (WA) made a motion to refer the discussion of long-term investment options and related policies to the**

Finance Committee for discussion at their next meeting. C. Frieberg (SD) seconded. The motion carried.

○ **Strategic Plan 2C-3**

- Chair J. Rader (NE) reported that according to the strategic plan the Training Committee will develop an orientation for new committee chairs and region representatives by June 30, 2020. The floor was opened for the committee to discuss topics and items they felt would be beneficial to include in the orientation manual.
- The committee discussed what is currently in the Executive Committee Orientation Manual and what was helpful for Vice Chairs and Region Alternates, the delivery method of the orientation materials, inclusion of Roberts Rules, links to forms and rules, possible WebEx training regarding how to conduct a committee and region meeting, training on how to complete annual reports, and mentorship from past chairs and representatives.
- Chair J. Rader (NE) encouraged any recommendations be made to Vice Chair C. Smith (TN) for review and consideration.

New Business

○ **Personnel Policies Update**

- Executive Director Underwood reported that National Office staff is researching updates that need to be addressed in the Personnel Policies Manual and any possible related legal updates.
- **A. Connor (ID) made a motion to table the review of the Commission's Personnel Policy Manual. J. Pelander (WA) seconded. The motion carried.**

○ **Request for Advisory Opinion Regarding ICJ Form IA/VI**

- Executive Director Underwood reported that a request for an Advisory Opinion had been received regarding requests for new ICJ Forms IA/VI and IV when an intra-state relocation occurs after supervision has been transferred.
- The committee discussed several concerns and issues that should be considered and addressed in the Advisory Opinion by the Legal Counsel. Legal Counsel will present a draft Advisory Opinion at the next meeting.

Adjourn

Chair J. Rader (NE) adjourned the meeting by acclamation at 2:02 PM ET.