

INTERSTATE COMMISSION FOR JUVENILES

Juvenile/Adult Issues Ad Hoc Committee



Minutes

January 15, 2020

11:00 a.m. ET

Teleconference

Commissioners/Designees in Attendance:

1. Julie Hawkins (MO), Chair
2. Tomiko Frierson (IL), Commissioner
3. Jeff Cowger (KS), Commissioner
4. Cathy Gordon (MT), Commissioner
5. Caitlyn Bickford (NH), Commissioner
6. Nina Belli (OR), Designee
7. Cathlyn Smith (TN), Commissioner
8. Daryl Liedecke (TX), Commissioner

Non-Voting Committee Members in Attendance:

1. Howard Wykes (AZ)
2. Tracy Howard (FL)
3. Maxine Baggett (MS)
4. Candice Alfonso (NJ)
5. Stephen Horton (NC)
6. Natalie Primak (PA)
7. Amanda Behe (PA)
8. Richetta Johnson (VA)

ICJ Staff in Attendance:

1. Marylee Underwood, Executive Director
2. Jennifer Adkins, Operations and Policy Specialist
3. Leslie Anderson, Administrative and Logistics Coordinator

Call to Order

Chair J. Hawkins (MO) called the meeting to order at 11:00 a.m. ET.

Roll Call

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

Agenda

T. Frierson (IL) made a motion to approve the agenda. D. Liedecke (TX) seconded. The motion carried.

Minutes

D. Liedecke (TX) made a motion to approve the October 22, 2019 meeting minutes as presented. T. Frierson (IL) seconded. The motion carried.

Discussion

○ **Proposed Recommendation to Rules Committee**

– *Amanda Behe (PA), Natalie Primak (PA), and Candice Alfonso (NJ)*,

- Chair J. Hawkins (MO) provided a review of the discussion regarding ICJ Rule 7-104: Warrants (5) from the October 22, 2019 meeting. She presented a draft proposal prepared by the Pennsylvania ICJ Office and opened the floor for discussion.
- C. Alfonso (NJ) acknowledged and thanked the Pennsylvania office for developing the proposal in her absence. She expressed having concerns as to whether an amendment to the Rule was necessary if only a few states were encountering issues with jurisdictional authority in regard to juvenile/adult cases. She also expressed concern that an amendment to the Rule could potentially encroach upon the adult extradition process.
- N. Belli (OR) suggested a “Best Practices” may be a more effective way to address the questions and concerns regarding juvenile/adult cases.
- N. Primak (PA) expressed that if there is no rule amendment, the advisory opinion should be rescinded as it causes confusion.
- Candice Alfonso (NJ) indicated that New Jersey and Pennsylvania authorities had provided written comment to the New Jersey ICJ office indicating that the ICJ should not intervene in such matters due to jurisdictional authority related to the extradition process.
- A. Behe (PA) and T. Frierson (IL) requested to review the supporting documentation being referenced from the Pennsylvania and New Jersey Governors Offices and their states extradition secretaries.
- C. Alfonso (NJ) noted that the supporting documents were internal communications and that she would work to provide redacted documents for their review.
- Chair J. Hawkins (MO) suggested that proposing an amendment to the definition of “Demanding State” to clarify that it is the authority of the demanding state to determine if ICJ applies in these cases may address the issue with the Rules and the related Advisory Opinion.
- S. Horton (NC) suggested that a potential amendment to Rule 6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders (7) might be an option. He noted that North Carolina does not currently have the mechanisms in place to address some of the issues that arise in related cases.
- Chair J. Hawkins (MO) requested input from the committee on appropriate language to modify the definition of “Demanding State” in ICJ Rule 1-101 to clarify ICJs jurisdictional authority.
- N. Primak (PA) suggested that the language from the proposed amendment Pennsylvania presented for Rule 7-104: Warrants may assist in drafting an appropriate definition.
- N. Belli (OR) suggested that a potential amendment of the current definition of “Court” to reflect “Juvenile Court” could assist in providing an outline for the types of cases that fall under the ICJ jurisdiction.
- Chair J. Hawkins (MO) noted that C. Alfonso (NJ) mentioned the National Association of Extradition Officials (NAEO) and asked if there was an office in each state.
- C. Gordon (MT) reported that she is the Administrator for the Interstate Agreement on Detainers (IAD) in the state of Montana and is a member of the NAEO. She offered to forward the contact information for the associations National Board to Chair J. Hawkins (MO) to assist in answering questions about their procedures.
- Chair J. Hawkins (MO) advised she will reach out to the contact and provide an update at a future meeting.
- N. Belli (OR) suggested that additional research with other organizations should be conducted first. She also suggested first determining whether amendments to definition(s) would be adequate. Then, if amendment of definitions was determined not to be adequate, developing a proposal to outline eligibility for returns. A. Behe (PA) and D. Liedecke (TX) expressed agreement

- Chair Hawkins (MO) indicated that she would reach out to NAEO and asked for volunteers to join her in working on related proposals. N. Belli (OR) and D. Liedecke (TX) volunteered to prepare information and/or a proposal to be presented at the next committee meeting.
 - **D. Liedecke (TX) made a motion to table the proposal regarding Rule 7-104: Warrants (5) presented by Pennsylvania to allow time for further research to be conducted. N. Belli (OR) seconded. The motion carried.**
- **Acceptance/Supervision when “Juvenile” is Considered an Adult in One State, including Mandatory Acceptance and Revocation**
- Chair J. Hawkins (MO) introduced the topic of acceptance/supervision of juveniles that are considered an adult in another state and opened the floor for committee discussion.
 - C. Smith (TN) and D. Liedecke (TX) both indicated their states had been involved in related cases, however it was resolved under the current rules.
 - After further discussion the committee came to a consensus and indicated that the current rules are clear that a state has the option to reject such a transfer and that the interpretation regarding “legal guardian” is appropriate.

Old Business

- **Case Review – Gang-involved Human Trafficking** – *Candice Alfonso (NJ)*
Due to time constraints the committee agreed to discuss this topic at a future meeting.

New Business

- Chair J. Hawkins (MO) requested committee members review and be prepared to discuss ICJ Rule 5-103: Reporting Juvenile Non-Compliance, Failed Supervision and Retaking at the upcoming meeting. She requested consideration be made as to whether the rule is clear on what should happen if the supervision is deemed unsuccessful and the “juvenile” must be returned as a mandatory return specifically if a “juvenile” that is considered over the age of majority is living independently within a receiving state.

Adjourn

Chair J. Hawkins (MO) adjourned the meeting by unanimous consent at 12:02 p.m. ET.